

to meet the necessities of the situation. Then when that motion was put I followed it with another, addressing the Chair and receiving recognition of the Chair, so that I think I was in order. But if the Senator wants to address the Senate now I will withhold the motion.

Mr. BAILEY. No; I do not desire to address the Senate at all until the Senator from Alabama concludes.

Mr. MORGAN. Mr. President, have I the floor now, no motion to adjourn being pending? I have not yielded.

The PRESIDENT pro tempore. The Senator from Alabama has the floor.

Mr. MORGAN. I move that the Senate adjourn to 9.50 a. m. to-morrow.

Mr. BAILEY. That motion has already been passed.

The PRESIDENT pro tempore. That motion has been carried. Does the Senator from Alabama move that the Senate adjourn?

Mr. MORGAN. I move that the Senate adjourn.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Alabama.

The motion was agreed to; and (at 6 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Saturday, February 25, 1905, at 9 o'clock and 50 minutes a. m.

## HOUSE OF REPRESENTATIVES.

FRIDAY, February 24, 1905.

The House met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

### CONFERENCE REPORT ON ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I desire to submit conference report on the bill H. R. 17473, making appropriations for the support of the Army, to be printed under the rule.

The SPEAKER. The report and statement will be printed under the rule.

### PENSION BILLS.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent that bills on the Private Calendar in order for consideration to-day may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent that bills on the Private Calendar in order for consideration to-day may be considered in the House as in Committee of the Whole under the five-minute rule. Is there objection?

There was no objection.

Mr. MADDOX. Mr. Speaker, I ask unanimous consent that the reports upon all these pension bills may be printed in the Record.

The SPEAKER. The gentleman from Georgia asks unanimous consent that all reports upon the pension bills be printed in the Record. Is there objection?

There was no objection.

MARTHA M. BOLTON.

The first pension business on the Calendar was the bill (S. 68) granting an increase of pension to Martha M. Bolton.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha M. Bolton, widow of William W. Bolton, late of Company F, First Regiment Missouri Mounted Volunteers, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 68) granting an increase of pension to Martha M. Bolton, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3366, this session, and the same fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3366, Fifty-eighth Congress, third session.]

Martha M. Bolton, whose post-office address is Sedalia, Mo., is the widow of William M. Bolton, who served in the Mexican war from June 16, 1846, to June 21, 1847, as sergeant in Company F, First Regiment Missouri Mounted Volunteers.

Mrs. Bolton is now receiving the pension of \$8 per month provided by the Mexican war service act of January 29, 1837. She was married to the soldier April 23, 1867, and lived with him until his death, July 2, 1873, and has never remarried.

Claimant is now 69 years of age. It is shown by evidence filed with your committee that she is an invalid and is afflicted with chronic hem-

orrhoids, chronic muscular rheumatism, and kidney disease, and is physically incapacitated for earning her support or of doing even general housework. It is further shown that she is in very dependent circumstances. The only property she possesses is a small three-room house, worth about \$250, and her income aside from her pension does not amount to \$25 per year.

There are many precedents for increasing pensions in cases of this character, in view of which your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time and passed.

WILLIAM G. BRADLEY.

The next pension business was the bill (S. 2456) granting a pension to William G. Bradley.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William G. Bradley, late of Company K, First Regiment Colorado Volunteer Infantry, war with Spain.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 2456) granting a pension to William G. Bradley, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3364, this session, and the same fully setting forth the facts is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3364, Fifty-eighth Congress, third session.]

William G. Bradley enlisted June 18, 1898, for service in the war with Spain, as a private in Company K, First Regiment Colorado Volunteer Infantry, and served one year, the greater part of the time in the Philippine Islands, being discharged for physical disability at Manila, June 21, 1899.

He filed a claim at the Bureau under the general law August 16, 1899, alleging that he incurred heat exhaustion at Manila, about December, 1898, followed by epileptic seizures, but his claim was rejected July 25, 1902, on the ground that soldier's epilepsy was shown by the records of the War Department to have existed prior to enlistment.

The adverse record upon which the soldier's claim was rejected is contained in the hospital report of treatment for his disability. In November, 1898, he was admitted to hospital for treatment for epilepsy, and the records state that the disability originated prior to enlistment, and was not incurred in line of duty. This record is continued in December, 1898, and again in January and February, 1899, but in June, 1899, the records of the First Reserve hospital at Manila report his disability as originating in line of duty.

The soldier was discharged upon surgeon's certificate of disability, signed by his company commander, Capt. W. A. Cornell, and regimental surgeon, Maj. Lewis H. Kemble. Captain Cornell stated that soldier was recommended for discharge on account of physical disability due to epileptic seizures; that the disease first appeared "September 10, 1898; while in barracks was overcome by a fit; they occur at intervals of about two months," and that it was incurred in line of duty; and also stated that "soldier asserts he was never affected in that manner before arriving in the Tropics."

Surgeon Kemble stated soldier was incapable of performing military duty because of "repeated attacks of epilepsy (grand mal), rendering him unfit for duty because of his unreliability, the fits being liable to come on at any time while on duty or otherwise." He also stated as follows: "Soldier denies having had any attacks prior to enlistment; previous history unknown. Incurred in line of duty. Does not use intoxicants."

It also appears that soldier made affidavit May 27, 1899, a little less than a month prior to his discharge, which affidavit is a part of the official War Department record, that he was never subject to epileptic seizures before his enlistment.

Because of the contradictory records as to the origin of his disability, soldier's claim was ordered for special examination to secure evidence as to his condition prior to his enlistment. He declared to the special examiner that he was never sick a day before he entered the military service, and was one of the huskiest lads in his section, and was entirely free from all diseases or disabilities prior to his enlistment; that he never had an epileptic seizure before he entered the Army, and that he was one of the healthiest fellows in his neighborhood before his service. As to the origin of his disabilities, he asserts that he had his first epileptic seizure at Manila, in quarters, just after he came in from guard duty policing the town, and that he thinks his first seizure was due to being sunstruck walking his post.

Evidence of several witnesses—neighbors, employers, and fellow-workmen—was secured by the special examiner relative to claimant's health before enlistment. These witnesses positively testify that soldier was healthy and sound before enlistment; that he never had epilepsy or epileptic seizures before service, and that he performed hard and difficult work at mining and stage driving and work which would only be given to a healthy and capable man, and that it is only since his discharge that they have noticed his poor health and disabled condition. This evidence is fully corroborative of the claimant's declarations as to his good health before service, and the special examiner of the Bureau expresses the opinion that the evidence as to prior soundness is sufficient. Not one witness testified to any ante-service disability, and there is no evidence of prior unsoundness in the case apart from the hospital record.

It also appears that there is some difference in opinion in the Pension Bureau regarding the merits of the claim, one reviewer holding that the evidence showed soldier was sound at enlistment; that he broke down in the line of duty through some epileptiform malady, and has been wrecked by it ever since and should have his pension.

The Senate has more than once passed a bill doing away with the doctrine of prior unsoundness.

This man was examined by a medical officer at enlistment. He served faithfully for several months and was discharged on surgeon's certificate of disability, setting forth that he incurred his disability in line of duty. In addition to this, the evidence of his neighbors, employers, and fellow-workmen is that he was sound and free from disability at enlistment. The weight of testimony is against the contention of prior unsoundness.

It is shown that claimant is a poor man without means and dependent upon his daily wages for support.

Your committee are of opinion that claimant has established his claim, and that he should be pensioned for the disability for which he was discharged the service, according to the degree of disability resulting therefrom, as established from time to time by the evidence in his case.

The bill was ordered to a third reading; it was accordingly read the third time and passed.

JOHN LEARY.

The next pension business was the bill (S. 5405) granting an increase of pension to John Leary.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Leary, late of Company D, Seventeenth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 5405) granting an increase of pension to John Leary, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3713, this session, and the same, fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3713, Fifty-eighth Congress, third session.]

It is proposed by this bill to increase from \$8 to \$12 per month the pension of John Leary, late of Company D, Seventeenth Regiment U. S. Infantry.

It is shown by the papers on file in the Pension Bureau that John Leary enlisted in the Regular Army August 9, 1869, and served a term of five years as a private of Company D, Seventeenth U. S. Infantry, being honorably discharged August 15, 1874. In June, 1874, he was detailed for fatigue duty at Camp Hancock, Dak., cutting timber for building purposes, and while so employed received an injury to head and nose by the falling of a tree on him, one of his comrades being killed at the same time.

Claimant applied at the Bureau under the general law of July 21, 1888, basing his claim on injury to head and nose received as above stated, and he was allowed pension for such injury July 7, 1891, at the rate of \$8 per month. He has several times since sought to obtain increase at the Bureau, but without success, all of his claims being rejected on the ground that his rate was commensurate with the disability from pensioned cause. His last claim for increase was filed April 20, 1903, and it was rejected October 10, 1903.

Claimant is now about 60 years of age. Some years after his discharge he commenced to suffer from deafness and impaired sight, which have gradually grown worse, and it is declared they resulted from the injury of head incurred in service. He was last medically examined August 5, 1903, and rated \$12 for injury to head and nose and \$12 for loss of sight of right eye. The report of this examination is as follows:

"Injury to head and nose: The face is not symmetrical, the right side being depressed. Along the upper border of the right parietal bone there is a scar 1 inch long, tender to the touch. Two inches below the right eye is another scar 2 inches long; surrounding it are old abrasions of the cheek skin. Right nasal bone is depressed and thickened, and occludes the nasal cavity. The nose is diverted to the left side. The pupil of the right eye is contracted and does not respond to light. Can not read the largest type at any distance. Can distinguish light and large objects."

It is not definitely proved that the loss of sight of right eye is due to service injury, but it may be that such is the case; apart from this, however, it is believed that the disability from injury to head and nose for which pensioned entitles him to the rate of \$12 per month as recommended by the examining surgeons, this being the rate proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time and passed.

COLLIN A. WALLACE.

The next pension business was the bill (S. 5897) granting a pension to Collin A. Wallace.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Collin A. Wallace, late of Capt. Charles Eaton's company, First Regiment Washington Territory Mounted Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of \$8 per month.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 5897) granting a pension to Collin A. Wallace, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3733, this session, and the same, fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3733, Fifty-eighth Congress, third session.]

Collin A. Wallace, of Salem, Ore., served as a private in Capt. Charles Eaton's company, First Regiment Washington Territory Mounted Volunteers, during the Oregon and Washington Territory Indian wars.

He applied at the Bureau under the Indian war service acts of July 27, 1892, and June 27, 1902, but his claim was rejected June 13, 1903, on the ground that he did not serve as an enlisted man for the full period of thirty days, as required by said acts.

It appears from the report of the Auditor for the War Department, on file in the Pension Bureau, that the muster rolls of Captain Eaton's company of the First Washington Territory Mounted Volunteers show that claimant was enrolled November 2, 1855, and was discharged November 23, 1855, the period of his service being 22 days. It also appears from the records that claimant was paid for two trips as teamster or expressman in quartermaster's department, Oregon Volunteers, in 1855, no dates, however, being given.

Claimant avers that this latter service was rendered by detail under orders from Governor Isaac I. Stevens, then commander in chief of Territorial troops, to carry letters or dispatches to Colonel Casey, a Regular Army officer in command of one of the forts in Washington Territory, and also to the commanding officer at Fort Vancouver. A full statement of his service is embodied in his petition, which is as follows:

In the matter of the claim of Collin A. Wallace, late of Capt. Charles Eaton's company, First Regiment Territory of Washington Mounted Volunteers in the Indian war of 1855 and 1856, for a pension.

To the Congress of the United States:

Your petitioner, the undersigned Collin A. Wallace, being first duly sworn, deposes and states on oath that he was born at Batavia, Mich., January 17, 1834, is now almost 71 years of age, and resides at No. 364 Summer street, in Salem, Marion County, State of Oregon. On November 2, 1855, at Olympia, Wash. T., he enlisted as a private in Capt. Charles Eaton's company, then known as Puget Sound Rangers, in the First Regiment of Territory of Washington Mounted Volunteers, for service in the Indian wars of 1855 and 1856, for three months, or during the war. From that date, November 2, 1855, I served with my company continuously until November 23, 1855, being at this last date stationed at Cle Elum Prairie, about 15 miles from Olympia. Having occasion to go to Olympia, he procured a three days' furlough from his captain for that purpose.

Soon after his arrival at Olympia Governor Isaac I. Stevens, then governor of Washington Territory and commander in chief of the Territorial troops, detailed your petitioner as an expressman to carry a letter to Colonel Casey, a Regular Army officer in command at Fort Steilacoom, Wash. Your petitioner delivered the letter as ordered and returned an answer to Governor Stevens. Governor Stevens then ordered your petitioner to carry some letters to the commanding officer at Fort Vancouver, Wash., a distance of nearly 150 miles. Your petitioner informed Governor Stevens at the time that his furlough granted by Captain Eaton, his company commander, would expire before he could go to Vancouver and return, as the journey had to be made most of the way on horseback. Governor Stevens then assured your petitioner that as commander in chief of the Territorial troops he had authority to detail your petitioner for that duty independent of the company commander, Captain Eaton, although the furlough would expire in the meantime, and that he would adjust the matter with Captain Eaton. Relying on such assurance your petitioner went on that detached duty and continued as an expressman under the orders and direction of Governor Stevens, carrying letters and orders from Olympia to Portland, Ore., Fort Vancouver, Wash., and various other places in Washington Territory at intervals as directed by Governor Stevens until some time in January or February, 1856, when for the first time he learned that he had been discharged as of date November 23, 1855.

Your petitioner's first knowledge of his discharge was derived from receiving his discharge. That discharge was lost in the following manner: It was placed by your petitioner in his trunk at Olympia. A certain Mrs. Ensign, wishing to return to her people in Illinois, proposed to exchange trunks with your petitioner as that of your petitioner was larger and more suitable for her use. The exchange was made, but by inadvertence your petitioner left his discharge in the trunk, and also by inadvertence Mrs. Ensign carried it away with her in the trunk. On discovering the loss of the discharge soon after that your petitioner made careful and diligent inquiry for Mrs. Ensign, from her husband and others, with a view of writing to her to return his discharge; but from that day to this he has been wholly unable to hear from or ascertain the whereabouts of said Mrs. Ensign, and so your petitioner states that said discharge is lost. According to the discharge your petitioner served only twenty-one days, when in fact he was in active service nearly all the time from November 23, 1855, to about January 1, 1856, carrying letters and dispatches under order of Governor Stevens, as above stated. This service was attended with great danger from floods and hostile Indians. Your petitioner was compelled to travel alone, both day and night, and many times to cross the Puyallup, Newaukum, Cowlitz, and other rivers by swimming his horse. Two other men engaged in the same service, one of them a nephew of Governor Stevens, were drowned. Other men in the same service at the time were killed by the Indians while traveling on the same route traveled by your petitioner.

Captain Eaton and Governor Stevens are both long ago dead. While engaged in that service your petitioner, from the exposure incident thereto, contracted rheumatism, from which he has never recovered. Your petitioner has heretofore applied for a pension under the act of June 27, 1902, his application being designated as "survivor original No. 6026 in old war and navy division," but the same was rejected in June, 1902, on the ground that the record showed that he had served as a soldier only twenty-one days, when in fact and in truth your petitioner served full two months, in addition to the service shown by the discharge, in duty more dangerous than that of any battle in all that war.

Your petitioner further states that he has an interest in the case herein detailed and is concerned in its prosecution as claimant, not merely for the small pension involved, but more especially to secure recognition equal with his fellow soldiers for his services in said Indian war.

COLLIN A. WALLACE.

Signature of petitioner attested by—

GEO. G. BINGHAM.  
GEO. H. BURNETT.

Sworn to and subscribed before me this 26th day of December, 1904; and I certify that I read said affidavit and petition to said affiant and petitioner, and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution, and that said affiant and petitioner is personally known to me and that he is a credible person and so reputed in the community in which he resides.

Witness my hand and official seal this 26th day of December, 1904.  
[SEAL.] T. K. FORD,

Notary Public for Marion County, Oregon.



Claimant's service as an enlisted man from November 2, 1855, to November 23, 1855, is clearly shown by the muster rolls of Captain Eaton's company of the Washington Territory Volunteers. His statements regarding his service as expressman in connection with the Indian war in Washington Territory seem to be fully corroborated by the record of payment made to him for such service, now on file in the auditor's office.

Claimant is now old and needy, and your committee are of opinion, in view of all the facts, that he is fairly entitled to the pension of \$8 per month provided for the survivors of the various Indian wars by existing laws.

The bill was ordered to a third reading; and it was accordingly read the third time and passed.

MARY E. ROBINSON.

The next pension business was the bill (S. 5907) granting an increase of pension to Mary E. Robinson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Robinson, widow of Gideon Robinson, late of Company E, First Regiment Ohio Volunteer Infantry, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 5907) granting an increase of pension to Mary E. Robinson, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3736, this session, and the same, fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3736, Fifty-eighth Congress, third session.]

Mary E. Robinson is the widow of Gideon Robinson, who was a soldier in the Mexican war and who served from May 27, 1846, to June 13, 1847, as a private in Company E, First Regiment Ohio Volunteer Infantry.

Mrs. Robinson is now receiving the pension of \$8 per month provided by the Mexican war service act of January 29, 1887, and there is no law under which her rate can be increased. She was married to soldier October 22, 1856. He died February 6, 1902.

Mrs. Robinson was born March 7, 1835, and is consequently nearly 70 years old. The papers on file in her claim at the Bureau show that she is in feeble health and that she is without property or resources other than her small pension and is dependent upon relatives for support.

There are numerous precedents for increasing the pensions of the aged and needy widows of the veterans of the Mexican war, in view of which your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time and passed.

THOMAS READ.

The next pension business was the bill (S. 6185) granting an increase of pension to Thomas Read.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Read, late of Company A, Fourth Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6185) granting an increase of pension to Thomas Read, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3460, this session, and the same, fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3460, Fifty-eighth Congress, third session.]

Thomas Read, of 4413 Nicollet avenue, Minneapolis, Minn., was a private in Company A, Fourth Regiment U. S. Infantry, from March 4, 1846, to May 24, 1850, and was honorably discharged. He served in Mexico during the war with that nation, participating in several of the prominent battles fought by the American Army.

He is now receiving the pension of \$12 per month allowed by existing laws to the destitute and totally disabled veterans of the Mexican war. He also received bounty-land warrant for 160 acres on account of his service.

It appears that claimant is 79 years of age, and has suffered the complete loss of sight of right eye and partial loss of sight of left eye, and is afflicted with partial paralysis of the right side, by reason of which he is wholly incapacitated for the performance of manual labor. It further appears that his property possessions are very small, not amounting to over \$500; that he is in debt nearly \$100, and that his means of support for himself and his aged and feeble wife is limited to his small pension of \$12 per month.

There are numerous precedents for increasing pensions in cases of this character, in view of which your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time and passed.

JONATHAN STORY.

The next pension business was the bill (S. 6467) granting an increase of pension to Jonathan Story.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jonathan Story, late of Company B, Second Regiment Illinois Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6467) granting an increase of pension to Jonathan Story, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3363, this session, and the same, fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3363, Fifty-eighth Congress, third session.]

Jonathan Story, whose post-office address is Kit, Dallas County, Tex., served in the Mexican war from June 30, 1846, to June 18, 1847, as a private in Company B, Second Regiment Illinois Volunteers.

He is now receiving the pension of \$12 per month allowed by the Mexican war service acts, this allowance being the limit he can obtain from the Pension Bureau.

It appears that claimant is 79 years old, partially blind and deaf, and otherwise afflicted, and so disabled in general as to be utterly incapacitated for earning his support. It further appears that he is poor and practically dependent upon his pension, and is without near relatives who are able to provide him the necessities of life.

There are many precedents for increasing pensions in cases of this character, in view of which your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time and passed.

JOHN L. KISER.

The next pension business was the bill (S. 6681) granting an increase of pension to John L. Kiser.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. Kiser, late principal musician, First Regiment Illinois Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6681), granting an increase of pension to John L. Kiser, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3732, this session, and the same, fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3732, Fifty-eighth Congress, third session.]

This bill proposes to increase from \$12 to \$20 per month the pension of John L. Kiser, of Colfax, Wash., late principal musician, First Regiment Illinois Volunteer Infantry, war with Mexico.

The records of the War Department show that John L. Kiser, the claimant, enlisted May 19, 1847, as a drummer in Company K, First Illinois Infantry, for service in the war with Mexico. He was promoted principal musician of regiment March 6, 1848, and was honorably discharged and mustered out with field and staff October 16, 1848. Claimant is now receiving the pension of \$12 per month provided by the Mexican war service acts of January 29, 1887, and March 3, 1903. He is over 81 years of age, and the evidence on file in his case shows that he is afflicted with double hernia, catarrh, stomach trouble, varicose veins of both legs, heart disease, defective sight and hearing, and the infirmities of age generally, and is totally incapacitated for the performance of manual labor. It is further shown that he has no property except a home, worth, approximately, \$1,000, and a few household goods, and that he has little or no income aside from his pension, and has largely depended upon the efforts of his wife for a living, who has taken in a few boarders now and then to aid in their support.

There are numerous precedents for legislation in cases of this character, and your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

THOMAS DUNN.

The next pension business was the bill (S. 6847) granting an increase of pension to Thomas Dunn.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Dunn, late of Company B, Mormon Battalion Iowa Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6847) granting an increase of pension to Thomas Dunn, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3749, this session, and the same, fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3749, Fifty-eighth Congress, third session.]

Thomas Dunn was a soldier in the Mexican war, and served from July 16, 1847, to July 16, 1848, as a corporal in Company B, Mormon Battalion Iowa Volunteer Infantry.

He is now receiving the pension of \$12 per month allowed to the totally disabled and destitute survivors of the Mexican war.

Claimant was born in January, 1822, and is consequently 83 years old. The evidence shows that he suffers from disease of rectum, catarrh, deafness, general debility, and other infirmities of age, and is totally incapacitated for the performance of any manual labor and requires much attention from his wife. It is also shown that he has no property, real or personal, and no means of support for himself and wife except his pension of \$12 per month. These facts are all substantiated by the papers on file in the Bureau and with this committee. There are numerous precedents for legislation of this character, and your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOHN W. KENNEDY.

The next pension business was the bill (S. 6466) granting an increase of pension to John W. Kennedy.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Kennedy, late second lieutenant Company F, Third Regiment Tennessee Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6466) granting an increase of pension to John W. Kennedy, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3370, this session, and the same fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3370, Fifty-eighth Congress, third session.]

This bill as amended proposes to increase from \$12 to \$20 per month the pension of John W. Kennedy, late second lieutenant Company F, Third Regiment Tennessee Volunteer Infantry, war with Mexico, who served from September 15, 1847, to July 24, 1848, and was honorably discharged.

Claimant is now receiving the rate of \$12 per month provided by existing laws granting pensions to the veterans of the Mexican war. He was born March 27, 1826, and is consequently nearly 79 years old.

It appears from evidence filed with this committee that claimant suffers from chronic bowel trouble and catarrh, and is also subject to frequent attacks of rheumatic fever, and is wholly incapacitated for the performance of manual labor. It further appears that he is practically destitute and entirely dependent upon his pension for support, the little property he owns being worth but a few hundred dollars and yielding him no income whatever.

In view of claimant's extreme old age and poverty, and his total inability to earn a support by his own efforts, your committee are of opinion that an increase of pension to \$20 may very properly be provided in his case.

The bill is therefore reported back favorably, with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

LIZZIE D. WISE.

The next pension business was the bill (S. 6859) granting an increase of pension to Lizzie D. Wise.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lizzie D. Wise, widow of Frederick May Wise, late commander, United States Navy, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6859) granting an increase of pension to Lizzie D. Wise, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3688, this session, and the same, fully setting forth the facts, is adopted by your committee as their report and the bill is returned with a favorable recommendation.

[Senate Report No. 3688, Fifty-eighth Congress, third session.]

Lizzie D. Wise, of Baltimore, Md., is the widow of Frederick May Wise, who was appointed a cadet midshipman in the Navy September 23, 1862, and after his graduation from the Naval Academy June 6, 1867, was promoted through the several grades to the rank of commander, to which rank he was commissioned from November 7, 1897. He died at the naval hospital, Yokohama, Japan, August 14, 1901, while still in active service of disease incurred in line of duty, from causes incident to his many years of naval life.

Mrs. Wise is now receiving a pension of \$30 per month, which is the highest rate allowable under existing laws. In her sworn petition, accompanying the bill, she declares that her husband left no property of any kind and that her only means of support is her pension of \$30 per month.

Mrs. Wise was married to the deceased officer April 2, 1872, and is now about 53 years of age.

There are many precedents for increasing the pensions of widows of officers who rendered long and distinguished service in the Navy, in view of which your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

MARTHA HADDOCK.

The next pension business was the bill (S. 7056) granting an increase of pension to Martha Haddock.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha Haddock, widow of Joseph N. Haddock, late first lieutenant Capt. Oscar Hart's independent company, Florida Mounted Volunteers, Seminole Indian war, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 7056) granting an increase of pension to Martha Haddock, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3727, this session, and the same fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3727, Fifty-eighth Congress, third session.]

Martha Haddock, of Mayport, Fla., is the widow of Joseph N. Haddock, who was first lieutenant in Capt. Oscar Hart's independent company of Florida Mounted Volunteers in the Seminole Indian war, and served from August 25, 1857, to February 26, 1858.

Mrs. Haddock is now receiving the pension of \$8 per month provided by the Indian war service acts of July 27, 1892, and June 27, 1902. She was married to the soldier March 1, 1855; he died January 29, 1903. She is about 65 years of age, physically unable to earn a livelihood, and is dependent upon her small pension of \$8 per month for support.

It is shown that she has a cottage and lot at Mayport, Fla., which is gradually and surely being washed away by the tides and currents caused by the construction by the United States of jetties at the mouth of the St. Johns River. This property has no marketable value, and a purchaser can not be found for it at any price. It is the only remaining one of several cottages which formerly stood in that immediate neighborhood, all of the others having been carried away by the waters as a result of changes in current and tide caused by the construction of jetties a short distance below. These facts are clearly and fully established by the evidence which accompanies the bill.

Mrs. Haddock has no living children or near relatives upon whom she can rely for assistance, and her only means of support is her small pension.

There are numerous precedents for legislation of this character, in view of which your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

ESTHER S. DAMON.

The next pension business was the bill (S. 7064) granting an increase of pension to Esther S. Damon.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Esther S. Damon, widow of Noah Damon, late of Massachusetts troops, war of the Revolution, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 7064) granting an increase of pension to Esther S. Damon, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3728, this session, and the same fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3728, Fifty-eighth Congress, third session.]

Esther S. Damon, of Plymouth Union, Vt., is the widow of Noah Damon, who was a soldier of the war of the Revolution, and who served a number of years of service in the Massachusetts troops, commencing as early as April 19, 1775. He was one of the first to take up arms in the defense of the colonies, and his widow, Mrs. Damon, has the unique distinction of being the sole surviving widow pensioner of the Revolutionary war, her rate being \$12 per month.

The following extract from the last annual report of the Commissioner of Pensions gives in full the patriot's services:

"Esther S. Damon, Plymouth Union, Vt.; age, 90; pensioned as widow of Noah Damon, who served as a private in the Massachusetts troops as follows: Six days, from April 19, 1775, in Captain Tucker's company; twenty-five days, from April 17, 1777, in Capt. Seth Sumner's company, Col. Benjamin Gill's regiment; two months five days, from May 15, 1777, in Capt. Moses French's company, Col. Jonathan Titcomb's regiment; two months twenty-two days, from December 10, 1777, in Capt. Thomas White's company, Col. Edward Proctor's regiment; two months twenty-five days, from April 9, 1778, in Capt. Benjamin Lapham's company, Col. Jonathan Reed's regiment; one month seven days, from July 26, 1778, in Capt. Nathaniel Clapp's company, Col. Benjamin Howe's regiment; nine days, from February 5, 1779, in Capt. Abner Crane's company, colonel not stated; one month one day, from August 14, 1779, in Capt. Joseph Richard's company, Colonel Gill's regiment; and eight months from May 11, 1780, in Capt. Caleb Champney's company."

Mrs. Damon is now 91 years of age. She is in very feeble health and requires the care of another person. She has no means and her sole support is her pension of \$12 per month and the little aid given her by the Daughters of the Revolution.

Your committee believe that a measure of comfort should be provided for Mrs. Damon for her few remaining days. As the widow of a soldier who fought so well and so frequently in aid of his country's independence she is worthy of the nation's gratitude.

The bill is therefore reported back favorably with a recommendation that it pass.



The bill was ordered to a third reading; it was accordingly read the third time and passed.

SUSAN HAYMAN.

The next pension business was the bill (S. 7076) granting a pension to Susan Hayman.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan Hayman, widow of Nathan L. Hayman, late of Company C, Third Regiment United States Volunteer Infantry, war with Spain, and pay her a pension at the rate of \$8 per month and \$2 per month additional on account of each of the minor children of said Nathan L. Hayman until they reach the age of 16 years.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 7076) granting a pension to Susan Hayman, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3779, this session, and the same fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 3779, Fifty-eighth Congress, third session.]

This bill proposes to grant a pension of \$8 per month to Susan Hayman, widow of Nathan L. Hayman, late of Company C, Third Regiment U. S. Volunteer Infantry, war with Spain.

The military records show that Nathan L. Hayman enlisted June 18, 1898, as a private in above organization, and was honorably discharged May 2, 1899. The hospital records show that he was under treatment from September 22 to 26, 1898, for malarial fever, remittent, and from December 19 to 22, 1898, for malarial fever, both sicknesses in line of duty. The certificate of examination preliminary to soldier's discharge, signed by soldier himself, his first lieutenant, and an examining surgeon for the War Department, is entirely negative, and shows no disability at that time.

On April 15, 1903, claimant filed a claim under the general law, which, after investigation by a special examiner of the Bureau, was rejected September 17, 1904, on the ground of "no record, medical, or other satisfactory evidence of origin in service, existence at discharge, or medical treatment prior to 1902 of alleged fatal disease of lungs."

The evidence shows that soldier died March 20, 1903, of consumption. A legal reviewer in the Pension Bureau held that the service origin of this disease was established by the evidence on file in the case. His opinion, dated September 16, 1904, is as follows:

"While it is true there is no record or medical evidence of origin of lung disease in service, the testimony of Comrades Montgomery, Hancock, and Booker shows very clearly that soldier did contract a severe cold and cough just prior to his discharge, and from the evidence now on file it is clearly shown that same condition continued, resulting in his death. Prior soundness is amply proven, and even if hereditary predisposition to consumption be admitted it would be no bar to favorable consideration of this claim, the soldier having been accepted and mustered into service as a sound man. I do not understand that the same rule with regard to lay testimony is applicable in these claims as those based upon service during the war of the rebellion, for the reason that a comparatively short time has elapsed since occurrence of events, and memory of comrades would naturally be more perfect and therefore more reliable."

A reviewer, however, held that the proof was not sufficient to show that soldier's fatal disease was the result of his service, and the claim was therefore rejected.

It is shown by the evidence that soldier was sound and free from disease before enlistment. Three comrades, as mentioned in the foregoing opinion of the legal reviewer, testified that soldier became sick and puny and was troubled with a cough and complained of his breast while in Cuba. Neighbors testified to the continuance of ill health and cough after discharge.

Dr. John O. Brown, of Sarasota, Fla., testified before a special examiner that he first saw soldier in February, 1901, and that his first treatment was in August, 1902, for cough which he had noticed, however, from the time he first saw him; that when he first examined soldier he found trouble with the left lung, and that at that time he considered the condition as chronic.

Other evidence on file shows continuance of soldier's lung trouble until his death, in March, 1903.

Mrs. Hayman was married to soldier December 3, 1899, and is now about 24 years of age. She has two minor children under the age of 16 years to support and educate, and in her sworn petition accompanying the bill she declares that she has no means and is dependent upon her own daily labor for the necessities of life.

Your committee are of opinion that the evidence on file may be accepted as sufficient to show that the cause of soldier's death was due to his military service, and therefore report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time and passed.

WILLIAM B. CHAPMAN.

The next pension business was the bill (S. 5505) granting an increase of pension to William B. Chapman.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William B. Chapman, late of Company I, Thirteenth Regiment Missouri Volunteer Infantry, and Company C, Sixth Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5505) granting an increase of pension to William B. Chapman, have

examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3494, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5505) granting an increase of pension to William B. Chapman, have examined the same and report:

This bill proposes to increase from \$12 to \$20 per month the pension of William B. Chapman, late of Company I, Thirteenth Missouri Volunteer Infantry, and Company C, Sixth Missouri State Militia Volunteer Cavalry.

Claimant is shown by the records of the War Department to have enlisted August 25, 1861, as private in Company I, Thirteenth Missouri Infantry, and to have been discharged October 26, 1861, the command having been taken prisoners at Lexington, Mo., September 20, 1861, and paroled. He reenlisted February 22, 1862, in Company C, Sixth Missouri State Militia Cavalry, and served as private and corporal until October 10, 1862, when honorably discharged by reason of palpitation of heart.

Claimant filed and established a claim under the act of June 27, 1890, and was pensioned under said act at \$12 per month from July 22, 1890, on account of chronic diarrhea and resulting disease of the rectum and disease of heart. He is now in receipt of said pension.

On September 14, 1899, claimant filed a claim under the general law, alleging that at Sedalia, Mo., about September, 1861, while a member of the Thirteenth Missouri Infantry, he contracted chronic diarrhea, which resulted in and caused piles, and disease of heart. This claim was rejected July 1, 1899, as noted on the official records as follows: "Approved for rejection for heart disease, diarrhea, and piles, no record as having originated or existed in Company I, Thirteenth Missouri Volunteer Infantry, and declared inability of claimant to furnish the necessary satisfactory evidence showing origin of same in service named."

There is no good evidence on file showing that claimant contracted disabilities alleged during first service. It is observed that he was discharged from his second service on account of palpitation of heart, and there is evidence showing that he suffered from chronic diarrhea during that service. Continuance of his disabilities is shown by the evidence of neighbors.

Claimant is 65 years of age. He was last medically examined April 6, 1898, and he was rated nothing for chronic diarrhea, \$3 for disease of heart, and \$12 for disease of rectum.

Evidence filed with this committee shows that claimant is wholly incapacitated for labor by reason of age and disease contracted during his service. Medical evidence shows that he suffers from heart disease and piles, with prolapsus of rectum; and that while he is 65 years of age, he has the appearance of a man of 70 years.

It appears that claimant has an invalid wife dependent upon him for support, also requiring much care and attendance; and it further appears that all of his possessions are not worth over \$1,200, and that his income, aside from his pension, is but \$60 per year.

In all probability claimant's disabilities are the result of his military service; the evidence indicates this very strongly. Giving him the benefit of the doubt only in part, your committee are of opinion that a reasonable increase of his pension is just and proper.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

KATE M. SMITH.

The next pension business was the bill (S. 5170) granting a pension to Kate M. Smith.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Kate M. Smith, widow of Andrew J. Smith, late captain Company G, One hundred and twenty-second New York Volunteer Infantry, and major and assistant adjutant-general, United States Volunteers, and pay her a pension at the rate of \$20 per month.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5170) granting a pension to Kate M. Smith, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3714, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5170) granting a pension to Kate M. Smith, have examined the same and report:

This bill proposes to grant a pension of \$20 per month to Kate M. Smith, widow of Andrew J. Smith, late captain Company G, One hundred and twenty-second Regiment New York Volunteer Infantry, and major and assistant adjutant-general, United States Volunteers.

Colonel Smith entered the service July 26, 1862, as first lieutenant and adjutant One hundred and twenty-second New York Infantry. He was shortly thereafter promoted captain Company G of the same regiment, and was later brevetted major, lieutenant-colonel, and colonel of volunteers, and was finally mustered out and honorably discharged February 21, 1866, with the rank of major and assistant adjutant-general, United States Volunteers, after nearly four years of continuous service.

A complete statement of his service, as furnished by the War Department, is as follows:

WAR DEPARTMENT,  
THE MILITARY SECRETARY'S OFFICE,  
Washington, October 5, 1901.

SIR: Referring to your letter of yesterday, received to-day, in which you request, by direction of Senator McCumber, to be furnished with a statement of the military service of Andrew J. Smith, formerly first lieutenant and adjutant One hundred and twenty-second New York Infantry Volunteers, captain Company G, same regiment, and major and assistant adjutant-general U. S. Volunteers, for use of the Com-

mittee on Pensions in connection with Senate bill No. 5170, I have the honor to advise you as follows:

It is shown by the records that Andrew J. Smith was mustered into service July 26, 1862, at Syracuse, N. Y., as adjutant of the One hundred and twenty-second New York Infantry Volunteers, to serve three years, and that he was mustered into service as Captain of Company G of said regiment, to date from October 8, 1862. He is reported as present with his company until April 21, 1863, when he was detached as assistant commissary of musters for the Third Division, Sixth Army Corps, and he appears to have been in the performance of such duty until July 1, 1864, when he was announced as commissary of musters of the same division and corps. He was brevetted major of United States Volunteers on October 19, 1864, "for especial acts of gallantry and meritorious services at the battles of Opequan and Cedar Creek, Va.;" was brevetted lieutenant-colonel of volunteers April 2, 1865, "for gallant and meritorious service before Petersburg, Va.;" and was brevetted colonel of United States Volunteers April 6, 1865, "for gallant and meritorious conduct at Little Sailors Creek, Virginia."

From July 1, 1864, he appears to have been in the performance of the duties of commissary of musters of the Third Division, Sixth Army Corps, until April 6, 1865, when the records show that he was wounded by a Minie ball in the right leg at the battle of Sailors Creek, Virginia, and he was absent from his command on account of his wound until on or about June 4, 1865. Upon tender of resignation he was honorably discharged the service as captain of Company G, One hundred and twenty-second New York Infantry Volunteers, to date from June 6, 1865, in Special Orders, No. 126, from the headquarters of the Sixth Army Corps, to enable him to accept the appointment of major and assistant adjutant-general of volunteers.

He was appointed to said grade on June 7, 1865, accepted the appointment on the same date, was on duty with the Third Division, Sixth Army Corps, until June 28, 1865, and with the First Division, Provisional Guard, from June 28 to July 17, 1865, when the command was discontinued. From August 11, 1865, to October 23, 1865, he was on duty in the district of Baltimore, middle military department, and in the performance of special duties (boards of survey, courts-martial, inspection duty, etc.) in the same department from October 24, 1865, to January 25, 1866, when he was relieved and ordered home.

In a letter addressed to the Adjutant-General of the Army, dated at Syracuse, N. Y., February 6, 1866, he reported that he had arrived at his place of residence and was awaiting orders, and in accordance with the provisions of Special Orders, No. 81, from the Adjutant-General's Office, War Department, dated February 21, 1866, he was mustered out and honorably discharged the service of the United States, while holding the grade of major and assistant adjutant-general of United States Volunteers.

Very respectfully,

F. C. AINSWORTH,  
The Military Secretary.

The CLERK OF THE COMMITTEE ON PENSIONS,  
United States Senate.

As the records show, Colonel Smith was wounded in right leg in battle at Sailors Creek, Virginia, April 6, 1865, and for this wound he was pensioned under the general law at \$5 per month from discharge, which was increased to \$10 per month from April 3, 1872, and to \$15 per month from December 24, 1884.

After the war Colonel Smith was appointed governor-general of Montana, where he remained for some time. He later held the position of governor of the Volunteer Homes at Leavenworth, Kans., Los Angeles, Cal., and Bath, Me. For the last four years of his life he held the position of inspector of the Board of Governors of the Volunteer Homes. He died at Cucharas, Colo., April 27, 1903. The cause of his death was heart disease.

Mrs. Smith has never applied for pension under the general law for the reason that she is unable to prove that soldier's death was due to his military service, although it is highly probable that his health suffered in consequence of the hardships and exposure of his army life. On September 1, 1903, she filed a claim under the act of June 27, 1890, which was rejected March 1, 1904, on the ground that she was in possession of resources sufficient, if providently managed, to secure her a net annual income of more than \$250.

It is conceded that Mrs. Smith has some property or investments, but the income therefrom is comparatively small. She has a little over \$8,000 prudently invested, from which she derives a gross income of \$375 per year, which is reduced after the payment of personal taxes to a net income of about \$233 per year, which is wholly insufficient for her maintenance. There appears also to be some claims against her husband's estate yet unsatisfied. It also appears she is in delicate health, entirely incapable of physical labor or of earning her own support, or any part thereof. She is now 65 years of age, and was married to the soldier February 6, 1864, and was his wife during a portion of his service.

It is believed the highly efficient and honorable services of the soldier, which won for him several promotions and merited the commendation of his superior officers, and the claimant's straitened circumstances, justify the allowance in this case of the rate of pension which she would have received had her husband's death been proved to have resulted from the wound received in battle.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time and passed.

HARRIETT P. GRAY.

The next pension business was the bill (S. 5160) granting an increase of pension to Harriett P. Gray.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriett P. Gray, widow of William J. Gray, late captain Company E, and major, Sixth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5160) granting an increase of pension to Harriett P. Gray, have

examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3376, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5160) granting an increase of pension to Harriett P. Gray, have examined the same and report:

This bill proposes to increase from \$8 to \$20 per month the pension of Harriett P. Gray, of Alcott, Colo., widow of William J. Gray, late captain Company E, and major, Sixth Regiment Ohio Volunteer Cavalry.

William J. Gray is shown by the military records to have enlisted October 5, 1861, and to have served as a private and as a noncommissioned officer in Company A, Sixth Ohio Cavalry, until February 5, 1863. He was promoted captain Company E, same regiment, February 6, 1863, and major, Sixth Ohio Cavalry, November 12, 1864, and was honorably discharged and mustered out February 17, 1865, thus showing considerably over three years of continuous service. The hospital records show that he was treated during service for remittent fever and diarrhea.

Major Gray filed a claim under the general law for hernia of right side, incurred in battle, in June, 1863, and it was admitted at \$6 per month from April 15, 1891, and \$10 per month from November 16, 1892. He also filed and established a claim under the act of June 27, 1890, and was pensioned under said act at the maximum rate of \$12 per month for hernia of right side and senile debility. He died April 4, 1900, at the age of 75 years, the cause of his death, as shown by the public records, being paralysis.

Mrs. Gray filed a claim under the general law May 21, 1900, which was properly rejected November 22, 1900, on the ground that the soldier's death cause, paralysis, was not shown to be due to hernia of right side, for which he was pensioned under the general law, and not otherwise proved to have resulted from his military service. She also filed a claim under the act of June 27, 1890, established it, and since October 20, 1900, has been pensioned under said act at \$8 per month.

Claimant was married to the soldier September 26, 1844, and is now about 80 years of age. It is shown by the evidence on file in her case that she is in very straitened circumstances, her only property being a small home worth about \$1,200 or \$1,500, which affords her a shelter and nothing more, and produces no income. She is childless and dependent upon her small pension of \$8 per month, and in feeble health, and unable to earn a support by her own labor.

In view of the claimant's advanced age and great poverty, the length and distinguished character of soldier's service (he being promoted from private to the rank of major), and the fact that claimant is a war widow, your committee are of opinion that she can be given a pension of \$20 per month, that being the rate she would have received had her general-law claim been allowed at the Bureau.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time and passed.

NOAH C. STANDIFORD.

The next pension business was the bill (S. 3898) granting an increase of pension to Noah C. Standiford.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Noah C. Standiford, late of Company B, Sixty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3898) granting an increase of pension to Noah C. Standiford, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3450, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 3898) granting an increase of pension to Noah C. Standiford, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Noah C. Standiford, late of Company B, Sixty-sixth Regiment Indiana Volunteer Infantry.

The military records show that Noah C. Standiford enlisted August 7, 1862, as private in Company B, Sixty-sixth Indiana Infantry, and was honorably discharged June 17, 1865. The hospital records show that he was treated during service for erysipelas, chronic rheumatism, and catarrh.

Soldier filed and established a claim under the general law and was pensioned for disease of left knee of service origin at \$2 per month from discharge, which rate was increased to \$6 per month from August 28, 1889, and to \$8 per month from August 6, 1890. He also filed and established a claim under the act of June 27, 1890, and was pensioned under said act at \$12 per month from August 11, 1898, for total disability for manual labor, resulting from disease of left knee, rheumatism, and obesity. He continued to receive pension under the act of June 27, 1890, until November 14, 1900, from which date his pension under general law for disease of left knee was renewed and increased to \$12 per month, which is his present rating. He applied for further increase under general law June 28, 1902, and April 4, 1903, but his claims were rejected February 17, 1903, and November 6, 1903, on the ground that his rate was commensurate with the disability from pensioned cause. Additional evidence was filed in the Bureau November 27, 1903, with a view to reopening his last claim for increase, but the same was held to be not sufficient to warrant any change of action.

All the evidence on file, including the reports of board of examining surgeons for the Bureau, shows that claimant is wholly incapacitated for the performance of manual labor. When he was last examined, July 1, 1903, he was rated \$10 for disease of heart, \$17 for disease of left knee, and \$17 for disease of kidneys. The examining surgeons further reported as follows:

"This condition of the kidneys (diabetes) is affecting his heart and general system and is reducing him in flesh and in strength, and is



causing swelling of the legs and ankles and will be a factor in ending his days on earth. The condition of the applicant's hands and muscles bear out his statement that he does no manual labor."

Claimant is 60 years of age. It is shown by evidence filed with this committee that he is in destitute circumstances, without property or other resources, and entirely dependent upon his pension for support.

In view of his faithful service of nearly three years, his deplorable condition and extreme poverty, your committee are of opinion that he can be properly given the rate to which he would be entitled under the general law if all of his disabilities were established as of service origin.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time and passed.

DEAN W. KING.

The next pension business was the bill (S. 3864) granting an increase of pension to Dean W. King.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dean W. King, late assistant surgeon Second Regiment Colorado Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3864) granting an increase of pension to Dean W. King, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3374, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 3864) granting an increase of pension to Dean W. King, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of Dean W. King, of Boulder, Colo., late assistant surgeon Second Regiment Colorado Volunteer Infantry.

The military records show that Dean W. King was enrolled May 19, 1862, and mustered in June 28, 1862, as assistant surgeon Second Colorado Infantry, and honorably resigned on account of physical disability on June 6, 1863.

Soldier has never filed a claim under the general law. He filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension at the rate of \$12 per month under said act on account of total disability from paralysis of the left side and senile debility.

It appears from the evidence on file, including the last report of the board of examining surgeons, dated April 22, 1903, that claimant is wholly incapable of performing any manual labor. The report of the examining surgeons is in part as follows:

"Uses a cane in walking; has great general debility; is feeble; muscles and hands soft; nutrition poor; is an old and feeble man."

Soldier is 72 years of age, and it is shown that he is in needy circumstances and is wholly without means for the support of himself and family.

In such cases this committee have usually granted a substantial increase by doubling the pension, and this is a case where justice demands similar action.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

EMMA J. KANADY.

The next pension business was the bill (S. 3075) granting an increase of pension to Emma J. Kanady.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma J. Kanady, widow of Thomas Kanady, late of Company K, Ninetieth Regiment New York Volunteer Infantry, and captain Company H, First Regiment New Orleans (La.) Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3075) granting an increase of pension to Emma J. Kanady, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3367, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 3075) granting an increase of pension to Emma J. Kanady, have examined the same and report:

This bill proposes to increase from \$12 to \$20 per month the pension of Emma J. Kanady, widow of Thomas Kanady, late of Company K, Ninetieth Regiment New York Volunteer Infantry, and captain Company H, First Regiment New Orleans (La.) Volunteer Infantry.

The records of the War Department show that Thomas Kanady enlisted October 9, 1861, as a private in Company D, Ninetieth New York Infantry; that he was transferred to Company K of same regiment in January or February, 1862, and that he was discharged to accept a commission October 1, 1863. He was mustered in to date September 30, 1863, as first lieutenant with Company H, Ninety-second U. S. Colored Troops; was promoted first lieutenant and adjutant, First New Orleans (Louisiana) Infantry, December 11, 1863, and captain Company H, same regiment, August 16, 1865, and was honorably discharged and mustered out with his company June 1, 1866, after nearly five years of continuous service.

Soldier filed a claim under the general law November 28, 1880, alleging service origin of malarial poisoning. His claim was allowed after his death at the rate of \$30 per month from November 28, 1880, date of filing claim, to December 12, 1882, date of his death, pension payable to his widow, Emma J. Kanady, the claimant under this bill. The cause of soldier's death was paralysis, resulting from malarial poisoning, for which he was pensioned.

Claimant is now pensioned under the general law at the rate of \$12 per month, her husband's fatal disease having had its origin while he was a private. She is pensioned at the highest rate provided by law, total of the rank held by her husband at the time of his disability was incurred. She was married to the soldier June 6, 1853, and was his wife during the whole period of his service. She is now 72 years of age.

The present financial condition of the claimant is shown to be that of absolute dependence, having no property and no means of support except her pension. It is also shown that she is a frail, delicate woman, in very feeble health, and wholly unable to do anything. She suffers from asthma to such an extent that it is deemed imprudent for her to leave her house alone.

Claimant is a war widow and suffered from all the trials and anxieties incident to such a station. In view of all the facts, it is proper to give her the rate of pension to which she would be entitled had her husband reached the rank of captain when his disability was incurred.

The bill is therefore reported back favorably, with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time and passed.

WILLIAM WALLACE.

The next pension business was the bill (S. 2985) granting an increase of pension to William Wallace.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Wallace, late of Company H, First Regiment Michigan Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2985) granting an increase of pension to William Wallace, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3809, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 2985) granting an increase of pension to William Wallace, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of William Wallace, late of Company H, First Regiment Michigan Volunteer Light Artillery.

Claimant is shown by the War Department records to have enlisted March 8, 1864, as private in above organization, and to have been honorably discharged July 22, 1865. The hospital records furnish no evidence of disability or treatment during service.

He was originally pensioned under the general law at \$4 per month from discharge for chronic diarrhea. He is now pensioned under the act of June 27, 1890, for chronic diarrhea, rheumatism, and albuminuria.

On June 27, 1902, he applied for renewal and increase under the general law on account of chronic diarrhea and results, alleging as new disabilities of service origin rheumatism, disease of heart, and Bright's disease. His claim for these disabilities was rejected September 30, 1903, on the ground of "no record of same, and inability of claimant to furnish medical or other satisfactory evidence to show origin thereof in service."

The claim for renewal under the general law was rejected October 2, 1903, on the ground that claimant was not entitled to a rating for chronic diarrhea and resulting disease of rectum in excess of that he was then receiving under the act of June 27, 1890.

It appears from the evidence of three physicians on file in the Bureau that claimant is totally disabled for the performance of manual labor by reason of his disabilities. The board of surgeons before whom he was last examined, at Clay Center, Kans., November 19, 1902, rated his disabilities as follows:

Chronic diarrhea, \$12; rheumatism, \$8; disease of heart, \$6; Bright's disease and albuminuria, \$6; disease of liver and stomach, \$6, and piles, \$4.

Claimant is 70 years of age. In his sworn petition accompanying the bill he states that he has no property and no income except his pension, and that he is receiving county aid.

Claimant's advanced age, total disability, and extreme poverty warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

SAMUEL S. MERRILL.

The next pension business was the bill (S. 2304) granting an increase of pension to Samuel S. Merrill.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel S. Merrill, late first lieutenant Company A, First Regiment United States Veteran Volunteer Engineers, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2304) granting an increase of pension to Samuel S. Merrill, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3375, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 2304) granting an increase of pension to Samuel S. Merrill, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of Samuel S. Merrill, late first lieutenant Company A, First Regiment United States Veteran Volunteer Engineers, and who served from August 27, 1864, to July 21, 1865, when honorably discharged.

Mr. Merrill is now pensioned at the rate of \$12 per month under the act of June 27, 1890, on account of locomotor ataxia and impaired vision; but, while he is totally disabled and in destitute circumstances he is unable to obtain further relief from the Pension Bureau, his disabilities not being traceable to his military service. He has never filed a claim under the general law.

Claimant's grievous physical infirmities and extreme poverty clearly appear from the papers on file in the Bureau and from the papers filed with this committee. He is physically helpless, can not walk without an assistant, can not dress or undress himself without help, and can not write or feed himself without some aid. His sight is very much impaired, and he is in every sense a physical wreck, and requires almost constant aid and attendance of another person. These facts are shown by his medical examination, dated at St. Louis, Mo., March 28, 1902, and by the evidence of his attending physicians.

It is also shown that claimant has no real estate or means of support aside from his small pension of \$12 per month. His post-office address is No. 3014 Morgan street, St. Louis, Mo.

An increase of soldier's pension to \$24 per month is recommended on the ground of his present condition; it is not due to his military service, which was less than one year, and no higher rate is warranted.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

EDWARD W. BENNETT.

The next pension business was the bill (S. 2251) granting an increase of pension to Edward W. Bennett.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward W. Bennett, late captain Company F, Seventy-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2251) granting an increase of pension to Edward W. Bennett, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3709, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 2251) granting an increase of pension to E. W. Bennett, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Edward W. Bennett, late captain Company F, Seventy-third Regiment Illinois Volunteer Infantry.

The records of the War Department show that Edward W. Bennett enlisted April 18, 1861, as a private in Company C, Twelfth Illinois Infantry, and was honorably discharged August 1, 1861, as of Company E, same regiment, to which transferred. He again enlisted July 19, 1862, and was mustered in August 21, 1862, as first lieutenant, with Company A, Seventy-third Illinois Infantry, to serve three years. He was promoted captain Company F, same regiment, January 8, 1863, and was honorably discharged and mustered out June 12, 1865. The hospital records furnish no evidence of treatment during service.

Claimant filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total inability to earn a support by manual labor, the result of disease of rectum and disease of mouth, result of scurvy. He filed a claim under the general law June 4, 1887, alleging piles and scurvy incurred about December, 1863, or January, 1864. This claim was rejected January 2, 1902, on the ground of "no record of treatment in service, and though aided by special examination claimant has been unable to furnish satisfactory competent testimony to prove incurment in service and line of duty."

The board of surgeons before whom claimant was last examined at Olathe, Kans., September 21, 1898, described his condition as follows: "Scurvy: We find loss of all the teeth except four. There is an atrophied condition of the gums and ulceration of the remaining teeth. His food must be of a soft character on account of this diseased condition of the gums. Rectum is inflamed."

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

CATHERINE HOWLAND.

The next pension business was the bill (S. 1990) granting an increase of pension to Catherine Howland.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catherine Howland, widow of John C. Howland, late of Company A, One hundred and twenty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1990) granting an increase of pension to Catherine Howland, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

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[Senate Report No. 3751, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 1990) granting an increase of pension to Catherine Howland, have examined the same and report:

Catherine Howland is the widow of John C. Howland, who was a private in Company A, One hundred and twenty-seventh Regiment New York Volunteer Infantry, and who served from August 12, 1862, to June 30, 1865, when honorably discharged.

Claimant is now a pensioner under the act of June 27, 1890, at the rate of \$8 per month. She has never made a claim under the general law for the reason that she can not prove that her husband's death, which occurred from pneumonia February 19, 1899, was the result of his military service. At the time of his death soldier was a pensioner under the act of June 27, 1890, at the rate of \$8 per month.

Claimant was married to soldier January 23, 1866, shortly after his discharge from the service, and is now 56 years of age. It is shown in evidence that she has no property and is entirely dependent upon her small pension of \$8 per month for her support.

The bill proposes an increase of claimant's pension to \$30 per month, but your committee can find no warrant for so high a rate for the widow of a private soldier. If soldier's death had resulted from his military service, claimant's pension would have been \$12 per month, and in view of her poverty and need, and the soldier's faithful service for nearly three years, your committee recommend an increase to that amount.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

EDWARD J. PALMER.

The next pension business was the bill (S. 1946) granting an increase of pension to Edward J. Palmer.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name Edward J. Palmer, late of Seventh Battery, Massachusetts Volunteer Light Artillery, and Company A, Thirty-third Regiment United States Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1946) granting an increase of pension to Edward J. Palmer, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3373, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 1946) granting an increase of pension to Edward J. Palmer, have examined the same and report:

This bill proposes to increase from \$12 to \$20 per month the pension of Edward J. Palmer, late of Seventh Battery, Massachusetts Volunteer Light Artillery, and Company A, Thirty-third Regiment United States Infantry.

Claimant is shown by the records of the War Department to have enlisted December 10, 1864, as a private in the Seventh Battery, Massachusetts Light Artillery, and to have been honorably discharged November 10, 1865. He reenlisted December 18, 1866, as private in Company A, Thirty-third United States Infantry, and was honorably discharged December 20, 1869. The hospital records show that he was treated during his second service for inflammation of kidneys, remittent fever, intermittent fever, and acute rheumatism.

Claimant filed a claim under the act of June 27, 1890, established it, and since July 16, 1890, has been in receipt of a pension under said act at the rate of \$12 per month on account of disease of left eye, disease of rectum, and general debility. He applied under the general law March 15, 1890, alleging that he contracted disease of kidneys and liver at Mobile, Ala., in October, 1865, but his application was rejected August 8, 1894, on the ground that he was not ratably disabled by causes alleged since date of filing claim.

It appears by the last report of the board of examining surgeons, dated August 4, 1897, that claimant was wholly unable to perform manual labor. He was then rated \$6 for disease of left eye, \$8 for piles, \$6 for enlarged prostate gland, \$12 for chronic lumbago, and \$30 for general debility. The examining surgeons report as follows:

"This man is feeble, emaciated, poorly nourished, and he shows every evidence of marked general debility; he can not perform the lightest manual labor and can scarcely walk."

Claimant is about 60 years of age. It is shown by the papers on file in the Pension Bureau that he is in very indigent circumstances and entirely dependent upon his pension for support. In view of his faithful service, his extreme poverty, and total inability to earn a support by his own manual labor by reason of physical disabilities, your committee are of opinion that a reasonable increase of his pension may very properly be provided in his case.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ANNIE T. SEAMAN.

The next pension business was the bill (S. 7019) granting an increase of pension to Annie T. Seaman.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie T. Seaman, widow of James W. Seaman, late of Company I, Thirty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The report (by Mr. GIBSON) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 7019) granting an increase of pension to Annie T. Seaman, have



examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3820, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 7019) granting an increase of pension to Annie T. Seaman, have examined the same and report:

Annie T. Seaman, of Takoma Park, D. C., is the widow of James W. Seaman, who was a private in Company I, Thirty-first Regiment Illinois Volunteer Infantry, and who served from August 1, 1862, to May 31, 1865, and was honorably discharged.

Soldier died January 9, 1873, of disease incurred in service and line of duty, and claimant is now receiving a general-law pension of \$12 per month, which is the highest rate she can obtain at the Bureau.

Mrs. Seaman was married to the soldier January 14, 1864, and is now about 63 years of age.

It appears from the evidence in this case that claimant has no property and no means of support except her pension of \$12 per month. She has lost the left eye and the sight of the right one is badly affected, and she is also afflicted with rheumatism and is physically incapacitated for earning a support.

Claimant is a war widow and is entitled to the most favorable consideration due to such a station. She is nearly blind and is needy, and her soldier husband served nearly three years. A reasonable increase of her pension to aid in her support is recommended, and the bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

LAURA C. CURTISS.

The next pension business was the bill (S. 6925) granting an increase of pension to Laura C. Curtiss.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Laura C. Curtiss, widow of Jacob S. Curtiss, late captain Company B, Seventy-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The report (by Mr. GIBSON) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6925) granting an increase of pension to Laura C. Curtiss, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3778, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6925) granting an increase of pension to Laura C. Curtiss, have examined the same and report:

This bill proposes to increase from \$8 to \$20 per month the pension of Laura C. Curtiss, widow of Jacob S. Curtiss, late captain Company B, Seventy-second Regiment Illinois Volunteer Infantry.

The War Department records show that Jacob S. Curtiss was mustered into service August 12, 1862, as captain with Company B, Seventy-second Illinois Infantry, and was honorably discharged June 17, 1865. The papers on file in the Pension Bureau show that he was a pensioner under the act of June 27, 1890, at the rate of \$12 per month, and that he died April 4, 1896, of acute pulmonary congestion.

The papers further show that Mrs. Curtiss filed a claim at the Bureau under the general law April 11, 1896, which was rejected October 1, 1896, on the ground that her husband's death was not the result of his military service. She also filed a claim under the act of June 27, 1890, established it, and since April 11, 1896, has been pensioned under said act at \$8 per month.

Mrs. Curtiss was married to the officer May 27, 1851, and she is now nearly 75 years old. It is shown by evidence filed with this committee that on account of age and its attendant infirmities she is unable to earn a living and that she is virtually penniless, and is entirely dependent upon her small pension for support. She is a war widow and her extreme age and poverty, coupled with the soldier's faithful service of nearly three years, entitle her case to sympathetic consideration. Your committee are of opinion that she may properly be allowed a general-law pension of \$20 per month, which is the rate she would have received had she been able to prove that her husband's death was due to his military service.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

RICHARD H. M'INTIRE.

The next pension business was the bill (S. 6924) granting an increase of pension to Richard H. McIntire.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard H. McIntire, late captain of Company K, Seventy-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. GIBSON) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6924) granting an increase of pension to Richard H. McIntire, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3777, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6924) granting an increase of pension to Richard H. McIntire, have examined the same and report:

This bill proposes to increase from \$20 to \$30 per month the pension of Richard H. McIntire, late captain Company K, Seventy-second Regiment Indiana Volunteer Infantry.

The military records show that Richard H. McIntire enlisted April 24, 1861, early in the war, as sergeant in Company E, Tenth Indiana Infantry, to serve three months, and was honorably discharged August

6, 1861. He again enlisted July 17, 1862, as first sergeant in Company K, Seventy-second Indiana Infantry, to serve three years. He was promoted to the rank of first lieutenant November 14, 1862, and to the rank of captain April 22, 1863, and was honorably discharged May 26, 1864, on account of physical disability from wounds received in action.

Captain McIntire received a gunshot wound of right thigh in battle at Chickamauga, Ga., September 19, 1863, and for this wound he was pensioned under the general law, his rates being \$10 per month from discharge; \$15 per month from November 24, 1873, and \$20 per month from February 17, 1876, this last being his present rating.

On December 30, 1891, he filed a claim for increase on account of pensioned disability, and also alleged that while in the service he contracted chronic diarrhea, resulting in disease of rectum, and rheumatism, resulting in disease of heart. The claim for increase on account of gunshot wound was rejected January 31, 1893, on the ground that his rate was adequate for the disability from that cause. The claim for chronic diarrhea and resulting disease of rectum, and rheumatism and resulting disease of heart, was rejected October 1, 1900, on the ground that these disabilities were not shown to be due to his military service. This action was affirmed, on appeal, September 23, 1904, by Assistant Secretary M. W. Miller.

Lieut. James W. Davis and Lieut. James T. Quick, Sergt. James S. Keys, and some of claimant's comrades, testified by affidavits that he had rheumatism while at Murfreesboro, Tenn., during the winter of 1862-63, and was sent to a house near by because of that disease.

Col. Abram O. Miller testified that while at Murfreesboro, Tenn., in the months of April and May, 1863, soldier was excused from duty most of the time on account of rheumatism and diarrhea.

The records of the War Department furnish no evidence of treatment for any disability, except gunshot wound, during service. The evidence as to continuance on file is very meager. One witness testified in affidavit that he had known soldier since about 1870, and during that time he had been troubled with rheumatism. Another witness testified that he had rheumatism since about 1876, and other witnesses who have known claimant in more recent years say that he has suffered from rheumatism.

Claimant is about 70 years of age. His last medical examination, by board of surgeons at Jacksonville, Fla., September 6, 1899, showed him to be suffering from gunshot wound of right thigh, rated at \$17; piles and disease of rectum, rated at \$12; rheumatism, rated at \$12; defective sight, rated at \$12, and disease of heart, rated at \$8. Prior medical examinations, made in 1886, 1890, and 1892, report him as totally disabled for the performance of manual labor.

Claimant is a poor man and in need of relief. Giving him the benefit of the doubt only in part, your committee are of opinion that the evidence should be accepted as sufficient to show that soldier's additional disabilities had their origin in the service, and that he is fairly entitled to an increase of his pension.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

SIMEON PERRY.

The next pension business was the bill (S. 6727) granting an increase of pension to Simeon Perry.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Simeon Perry, late of Company A, First Regiment Florida Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. GIBSON) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6727) granting an increase of pension to Simeon Perry, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3529, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6727) granting an increase of pension to Simeon Perry, have examined the same and report:

This bill proposes to increase from \$12 to \$20 per month the pension of Simeon Perry, late of Company A, First Regiment Florida Volunteer Cavalry.

Claimant enlisted January 23, 1865, and was honorably discharged November 17, 1865. During service he bore the rank of private. The hospital records furnish no evidence of treatment or disability.

He filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for gunshot wound of left shoulder and general debility.

Claimant filed a claim under the general law June 15, 1880, alleging that about the middle of May, 1865, while in line of duty at McGuirt's Creek, Florida, he was shot in the neck. In affidavit, made October 22, 1884, he states that about the last of April or the first of May, 1865, while he was engaged in raising the steamer *St. Mary* at McGuirt's Creek up the St. Johns River, he was attacked by Confederate scouts and was shot through the neck. This claim was rejected May 22, 1885, on the ground that there is no record of the wound alleged, and the evidence furnished by claimant, which is the best obtainable, fails to show that it was received in the line of duty.

Claimant in affidavit stated that the only witness who was present when he was shot is dead. There is some evidence on file showing that claimant received a wound in the neck in service, but just how it was received or under what circumstances it was received, is not shown, none of the witnesses having any knowledge thereof, and the action of the Bureau was correct. Such action was also affirmed on appeal, December 13, 1887, by Assistant Secretary D. L. Hawkins.

It appears that claimant is about 75 years old. He is broken down by age and general debility and is wholly unable to earn a support by manual labor. His last medical examination, as far back as March 4, 1891, reported as follows:

"He is in general feeble health, body poorly nourished, and is incapacitated for the performance of manual labor, at least three-fourths." It also appears that claimant is in very poor circumstances and dependent upon his pension for support.

There are numerous precedents for increasing the pensions of aged,

destitute, and totally disabled veterans of the war, in view of which your committee report the bill back favorably, with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

AMANDA B. MACK.

The next pension business was the bill (S. 6556) granting a pension to Amanda B. Mack.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda B. Mack, widow of John Mack, late of Company A, First Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$8 per month.

The report (by Mr. GIBSON) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6556) granting a pension to Amanda B. Mack, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3528, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6556) granting a pension to Amanda B. Mack, have examined the same and report:

Amanda B. Mack, whose post-office address is Titusville, Fla., is the widow of John Mack, who served as a private in Company A, First Regiment Iowa Volunteer Cavalry, from June 13, 1861, to October 1, 1861, and was honorably discharged, and who died October 19, 1904.

On November 23, 1904, the widow made claim at the Bureau under the act of June 27, 1890; but the same was rejected December 20, 1904, on the ground that her marriage to a soldier occurred after the passage of said act.

It appears that claimant is 60 years of age and that she is absolutely unable to perform any labor by which she might earn a living. It further appears that aside from her small house, in which she lives and which cost about \$300, she has no financial means and no income upon which to depend. Her dependence and destitution under the law clearly appear from the papers accompanying the bill.

Claimant was married to soldier March 31, 1891, and the Pension Bureau was entirely correct in rejecting her claim. In view, however, of her advanced age and destitution and inability to earn a livelihood, your committee are of opinion that the requirement of the law in respect to time of marriage may be waived in her case, and that she should be allowed the pension of \$8 per month provided by the act of June 27, 1890.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

CHARLES S. KERNS.

The next pension business was the bill (S. 5493) granting an increase of pension to Charles S. Kerns.

The bill was read, as follows.

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles S. Kerns, late of Company E, One hundred and twenty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. GIBSON) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5493) granting an increase of pension to Charles S. Kerns, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3542, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5493) granting an increase of pension to Charles S. Kerns, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of Charles S. Kerns, of Newark, Del., late of Company E, One hundred and twenty-fourth Regiment Pennsylvania Volunteer Infantry, who served from July 28, 1862, to May 16, 1863, and was honorably discharged.

Claimant is now pensioned under the act of June 27, 1890, at \$12 per month, for total disability for manual labor, resulting from right complete inguinal hernia, fracture of left wrist, naso-pharyngeal catarrh, disease of heart, and senile debility. He filed a claim under the general law August 21, 1885, alleging that he incurred rupture of right side in September, 1862. This claim was rejected January 21, 1896, on the ground of "no record, and claimant is unable to file satisfactory evidence showing origin in service and line of duty."

It appears by the last report of the board of surgeons, at Elkton, Md., August 5, 1903, that claimant is afflicted with hydrocele of right side, fracture of left wrist, catarrh, deafness, defective sight, lumbago, disease of heart, and resulting general debility, and the examining surgeons report him as unable to perform manual labor.

He is 75 years of age, in poor circumstances financially, and greatly in need of relief.

In such cases this committee usually grants a substantial increase by doubling the pension, and this is a case where justice demands similar action.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOSEPH HOWE.

The next pension business was the bill (S. 6492) granting an increase of pension to Joseph Howe.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Howe, late of Company E, Sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6492) granting an increase of pension to Joseph Howe, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3921, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6492) granting an increase of pension to Joseph Howe, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Joseph Howe, late of Company E, Sixtieth Regiment New York Volunteer Infantry.

The records of the War Department show that Joseph Howe, the claimant under this bill, first enlisted November 22, 1854, as a private in the Regular Army and served in Battery K, Second United States Artillery, until November 22, 1859, when he was honorably discharged by expiration of enlistment. He again enlisted September 10, 1861, as a sergeant in Company E, Sixtieth New York Infantry, and served all during the war, having reenlisted as a veteran volunteer February 26, 1864, and being honorably discharged July 17, 1865.

Soldier was pensioned under the general law at \$4 per month from June 22, 1889, date of filing claim, for chronic diarrhea contracted in service and also for resulting disease of rectum. He is now pensioned at \$12 per month under the act of June 27, 1890, for chronic diarrhea and catarrh. He is 67 years of age and the evidence on file in his claim, including the report of medical examination, shows that he is wholly incapacitated for earning a support by manual labor by reason of physical disabilities.

The board of surgeons before whom the soldier was last examined, at Plattsburg, N. Y., January 17, 1894, described his condition as follows:

"This man is sallow, anæmic, emaciated; muscles small, soft; hands show but little work. Tongue smooth around edges, dark furred in center; conjunctivæ and gums pale; stomach sensitive, tympanitic; liver hard to find below ribs while standing; spleen small; bowels tympanitic, sensitive. External view shows some anal eczema and thickening of anal tissue; speculum shows two internal piles one-half inch in diameter, and also considerable ulceration of rectum. On epigastrium, slightly to the left, is fatty tumor, very conical, with a circumference at base of 9 inches and an outward projection of 1½ inches.

"The apex is somewhat reddened from irritation, which makes the whole tumor sensitive; considerable crepitus in fingers, wrists, shoulders, and knees, especially left; finger joints considerably enlarged, also deposits on dorsal spine; some tenderness apparent in joints; no contractions of tendons; no ankylosis; heart hypertrophied; general area of cardiac dullness, standing, 4½ by 5½ inches; apex lowered and moved to left border of epigastrium; action quite rapid; no valvular lesion; origin probably rheumatic; tonsils enlarged; posterior part of pharynx much filled in and thickened; nostrils pervious.

"He is a feeble man. He is wholly disabled for manual labor."

It appears that claimant is in destitute circumstances and entirely dependent upon his pension for support.

In view of his advanced age, his faithful service during the war of nearly four years, his poverty, and inability to earn a support by his own manual labor by reason of physical disabilities, your committee are of opinion that he can properly be given the rate to which he would be entitled under the general law if all of his disabilities were established as of service origin.

The bill therefore is reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOEL H. WARREN.

The next pension business was the bill (S. 107) granting an increase of pension to Joel H. Warren.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joel H. Warren, late surgeon Fifth Regiment Missouri State Militia Volunteer Cavalry, and assistant surgeon Cass County Missouri Home Guards, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 107) granting an increase of pension to Joel H. Warren, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3365, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 107) granting an increase of pension to Joel H. Warren, have examined the same and report:

This bill proposes to increase from \$30 to \$40 per month the pension of Joel H. Warren, late surgeon Fifth Regiment Missouri State Militia Volunteer Cavalry, and assistant surgeon Cass County Missouri Home Guards.

A statement of Doctor Warren's service as it appears upon the records of the War Department is as follows:

RECORD AND PENSION OFFICE, WAR DEPARTMENT,  
Washington City, May 20, 1902.

SIR: In response to your telephonic request of yesterday for the military and medical record of Joel H. Warren as assistant surgeon Cass County (Mo.) Home Guards and surgeon Fifth Missouri State Militia Cavalry, I have the honor to advise you as follows:

It is shown by the records that J. H. Warren (also borne as Jesse H. and Joel H. Warren) served as assistant surgeon of the Cass County (Mo.) Home Guards, and he has been recognized by this Department as



of that grade and organization from June 17, 1861. On the muster roll of the field and staff covering the period from June 27 to October 31, 1861, he is reported as assistant surgeon, presence or absence not shown, with the remark: "Acted as surgeon in Major Deane's battalion." Was appointed assistant surgeon of regiment 1st September, 1861. On the muster rolls for the months of November and December, 1861, he is reported present. He was mustered out of service with the field and staff as assistant surgeon February 28, 1862, at Harrisonville, Mo., with the remark: "Served as surgeon battalion from June 27 to August 1, 1861; then assistant surgeon for regiment."

It is also shown by the records that Joel H. Warren served as surgeon of the Fifth Missouri State Militia Cavalry, as of which grade and organization he has been recognized by this Department from May 25, 1862. He was mustered out of service with the field and staff of the regiment June 22, 1863, at St. Joseph, Mo. On all muster rolls of the field and staff he was reported present.

No record of the medical treatment of this officer has been discovered.

Very respectfully,

F. C. AINSWORTH,  
Chief Record and Pension Office.

HON. F. M. COCKRELL,  
United States Senator.

Claimant filed and established a claim under the general law and was originally pensioned for disease of eyes of service origin at \$6.25 per month from discharge and \$12.50 per month from February 6, 1877. His rate was increased to \$16.75 per month March 16, 1892, for disease of eyes and rheumatism, also of service origin; to \$25 per month from June 26, 1903, for disease of eyes and rheumatism and resulting disease of heart, and to \$30 per month from September 26, 1904.

The evidence on file in the Pension Bureau shows that Doctor Warren is practically helpless. He is nearly blind, has had several strokes of paralysis, and is absolutely a total physical wreck. His last examination by a surgeon of the Pension Bureau, dated September 26, 1904, reported him as suffering from disease of eyes, rheumatism, disease of heart, and great senile debility, and so disabled as to require the frequent and periodical aid and attendance of another person, and entitled to \$50 a month. This condition of partial helplessness is also shown by medical examinations dated May 2, 1900, and June 26, 1903, and by other medical evidence on file in the Bureau.

Doctor Warren is over 85 years of age, and is in destitute circumstances. He has no property and no income or means of support aside from his pension. His advanced age, extreme poverty, and helplessness warrant favorable action on the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

MERIDA P. TATE.

The next pension business was the bill (S. 4918) granting an increase of pension to Merida P. Tate.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Merida P. Tate, late first Lieutenant Company H, Forty-seventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 4918) granting an increase of pension to Merida P. Tate, have examined the same, and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3368, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 4918) granting an increase of pension to Merida P. Tate, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of Merida P. Tate, of Gainesville, Mo., late first Lieutenant Company H, Forty-seventh Regiment Missouri Volunteer Infantry, who served from September 9, 1864, to March 29, 1865, when honorably discharged.

Claimant is now pensioned at the rate of \$12 per month under the act of June 27, 1890, for rheumatism and disease of eyes; but while he is totally disabled and in destitute circumstances he is unable to obtain further relief at the Pension Bureau, his disabilities not being traceable to his military service.

It appears from the evidence filed with your committee that claimant is 74 years of age, partially blind and deaf, and suffers from neuralgia, rheumatism, rupture of left side, cough, extreme debility, and a general breaking down of the entire system, and is wholly incapacitated for the performance of manual labor. It further appears that he has no real estate and only about \$100 worth of personal property, and that his only income is his pension of \$12 per month.

Your committee are of opinion that claimant's grievous physical infirmities and extreme poverty warrant the increase proposed by the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ANDREW R. MARK.

The next pension business was the bill (S. 5118) granting an increase of pension to Andrew R. Mark.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew R. Mark, late of Company I, One hundred and twenty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5118) granting an increase of pension to Andrew R. Mark, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3826, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5118) granting an increase of pension to Andrew R. Mark, have examined the same and report:

This bill proposes to increase from \$12 to \$20 per month the pension of Andrew R. Mark, late of Company I, One hundred and twenty-third Regiment Pennsylvania Volunteer Infantry.

The records of the War Department show that Andrew R. Mark, the claimant, enlisted August 1, 1862, as sergeant in above organization, and was honorably discharged December 19, 1862, upon surgeon's certificate of disability in consequence of consumption and injuries by fracture of several ribs.

The papers on file in the Pension Bureau show that claimant is over 74 years of age, broken down mentally and physically and utterly incapable of earning a support by his own manual labor. He is now pensioned at \$12 per month under the act of June 27, 1890, for total disability resulting from senile debility and disease of heart and rheumatism. He applied under the general law, February 12, 1890, alleging he contracted rheumatism from exposure in service, but he has abandoned this claim, not being able to furnish the evidence required by the Bureau to establish it.

Claimant was last medically examined January 12, 1903, by board of surgeons at Pittsburgh, Pa., and reported to be suffering from rheumatism and the physical and mental infirmities of advanced age, and totally disabled for manual labor. The examining surgeons described his condition in part as follows:

There is a general weakness; mental hebetude. He looks and acts as if he were older; he has an attendant to bring him here, as he is liable to get lost; he is not able to earn a livelihood or any part of it.

The papers on file show that claimant is a very poor man and entirely dependent upon his pension for support. His neighbors petitioned numerously for his relief in his disabled and feeble condition. An increase of his pension to \$20 per month on the ground of his present condition is recommended; it is not due to his service, which was comparatively short, and no higher rate is warranted.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

SARAH A. MORRIS.

The next pension business was the bill (S. 5382) granting a pension to Sarah A. Morris.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah A. Morris, dependent mother of John E. Morris, late of Company D, Eightieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5382) granting a pension to Sarah A. Morris, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3362, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5382) granting a pension to Sarah A. Morris, have examined the same and report:

This bill proposes to grant a pension of \$12 per month to Sarah A. Morris, of Ste. Genevieve, Mo., dependent mother of John E. Morris, late of Company D, Eightieth Regiment Illinois Volunteer Infantry.

It appears from the records of the War Department that John E. Morris enlisted August 1, 1862, and served as corporal and sergeant in above-named company and regiment until June 10, 1865, when honorably discharged. The hospital records show that he was treated during service from March 25, 1863, to June 8, 1863, for chronic diarrhea and chronic rheumatism.

Soldier never applied for pension. He died September 22, 1891, and the claim of his mother, filed February 15, 1892, was rejected May 29, 1903, on the ground that she was unable to prove that soldier's death was due to his military service. The cause of soldier's death is not clearly proved, but from such information as is on file it appears to have been heart disease. It is observed that he has a hospital record showing treatment in service for chronic rheumatism, and a few neighbors testified that he complained of and suffered from that trouble after his discharge. As heart disease is the most common sequence of rheumatism, it is altogether probable that his death was due to rheumatism contracted during service.

Soldier left no widow, or child or children under 16 years of age, at his death. There is no one now receiving any pension on account of his service. His father died April 1, 1846, and claimant, his mother, has not since remarried. She is 82 years of age, in feeble health, and absolutely without means of support, and is dependent upon charity for support.

The advanced age of claimant and her great destitution warrant favorable action on the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ANDREW MAGNUSON.

The next pension business was the bill (S. 5890) granting an increase of pension to Andrew Magnuson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Magnuson, late of Company D, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5890) granting an increase of pension to Andrew Magnuson, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3483, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5890) granting an increase of pension to Andrew Magnuson, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Andrew Magnuson, of Kingston, Minn., late of Company D, Second Regiment Minnesota Volunteer Infantry, who served from July 26, 1864, to July 11, 1865, and was honorably discharged.

Claimant is now pensioned at \$12 per month under the act of June 27, 1890; but while he is totally blind and helpless, he is unable to obtain further relief at the Pension Bureau, his disabilities not being traceable to his service. He is 79 years of age and suffers from total blindness, general debility, and rheumatism, and he is unable to help himself in any way and requires regular aid and attendance. He has never made claim at the Bureau under the general law.

It appears that soldier is poor and greatly in need of relief, and your committee are of opinion that his deplorable condition warrants an allowance of \$30 per month.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

WALLACE GOFF.

The next pension business was the bill (S. 6418) granting an increase of pension to Wallace Goff.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Wallace Goff, late second lieutenant Company H, Twenty-eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6418) granting an increase of pension to Wallace Goff, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3775, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6418) granting an increase of pension to Wallace Goff, have examined the same and report:

This bill proposes to increase from \$24 to \$40 per month the pension of Wallace Goff, of Waukesha, Wis., late second lieutenant Company H, Twenty-eighth Regiment Wisconsin Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted August 20, 1862, as sergeant in Company H, Twenty-eighth Wisconsin Infantry, to have been promoted to the rank of second lieutenant, same company and regiment, December 12, 1862, and to have honorably resigned March 19, 1864.

He filed and established a claim under the general law and is now in receipt of a pension of \$24 per month on account of malarial poisoning, disease of mouth and right leg (results of scurvy), chronic diarrhea, and resulting piles.

It appears from evidence filed with this committee that claimant is now as helpless as a child, requiring the constant aid and attendance of another person day and night. This condition has existed for about two years and is caused by paralysis. He has lost the use of his legs completely and can not walk; he is wheeled about in a chair at times when the weather permits, and requires assistance in all the daily wants of life. His physician swears that his condition is permanent.

It further appears that claimant is a poor man financially, his income aside from his pension being but \$100 per year, and this is all consumed in the payment for attendance of a nurse. He lives at 600 Clinton street, Waukesha, Wis.

Soldier's deplorable condition and poverty seem to warrant a reasonable increase of his pension, and your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JAMES W. FOLEY.

The next pension business was the bill (S. 6579) granting an increase of pension to James W. Foley.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Foley, late of Company K, Ninety-seventh Regiment, and Company D, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6579) granting an increase of pension to James W. Foley, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3492, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6579) granting an increase of pension to J. W. Foley, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of James W. Foley, of Medora, N. Dak., late of Company K, Ninety-seventh Regiment, and Company D, Twenty-eighth Regiment, Pennsylvania Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted January 13, 1862, as private in Company K, Ninety-seventh Pennsylvania Infantry, and to have been honorably discharged December 9, 1863, upon surgeon's certificate of disability in consequence of chronic diarrhea and dropsy. He reenlisted September 1, 1864, as private in Company D, Twenty-eighth Pennsylvania Infantry, and was honorably discharged May 23, 1865.

After the war claimant enlisted May 30, 1865, in the Fourth Regi-

ment United States Cavalry and served almost continuously thereafter in the Regular Army until July 25, 1883, when he was finally and honorably discharged with the rank of commissary-sergeant, United States Army.

Claimant filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total disability for manual labor, the result of chronic diarrhea, right inguinal hernia, and disease of heart.

It appears by the last report of the board of examining surgeons, dated August 3, 1904, that claimant is afflicted with chronic diarrhea, right inguinal hernia, disease of heart, and injury of left hand, and is totally incapacitated for the performance of manual labor. The examining surgeons further report as follows:

"This claimant is fairly well nourished, but has a worn and anxious expression, and from the rapidity of the heart's action and his history this board believe that he has such frequent attacks of dyspnea and faintness that he is entirely unfit for manual labor."

The fact that claimant was allowed the maximum rate under the act of June 27, 1890, establishes his total inability to perform manual labor. He is 59 years of age, and it is shown by evidence filed with this committee that he has no property and that his net yearly income does not exceed \$100.

In view of soldier's long and faithful service during and since the war, his poverty, and total inability to earn a support by his own labor, your committee are of opinion that an increase of his pension to \$30 per month is eminently just and proper.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JAMES M. SHIPPEE.

The next pension business was the bill (S. 101) granting an increase of pension to James M. Shippee.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James M. Shippee, late of Company F, Fifth Regiment, and Company K, Thirtieth Regiment, Michigan Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 101) granting an increase of pension to James M. Shippee, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3371, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 101) granting an increase of pension to James M. Shippee, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of James M. Shippee, of Mexico, Mo., late of Company F, Fifth Regiment, and Company K, Thirtieth Regiment, Michigan Volunteer Infantry.

The records of the War Department show that soldier enlisted August 7, 1861, for three years as a private in Company F, Fifth Regiment Michigan Volunteer Infantry. He was present with his command until May 3, 1863, when he was taken prisoner at Chancellorsville, Va. He was confined at Richmond, Va., May 9, 1863; paroled at City Point, Va., May 15, 1863, and rejoined his company October 8, 1863. He was wounded severely in left leg May 6, 1864, in the battle of the Wilderness, and was under treatment for this wound in various hospitals up to the date of his honorable discharge, August 29, 1864. The records further show that he reenlisted December 24, 1864, for one year as sergeant in Company K, Thirtieth Regiment Michigan Volunteer Infantry, and was honorably discharged and mustered out with his company June 17, 1865.

Soldier was originally pensioned under the general law for gunshot wound of left leg at \$2 per month from February 21, 1887, which rate was increased to \$4 per month from October 16, 1889. He filed a claim under the act of June 27, 1890, established it, and is now pensioned under said act at the rate of \$12 per month for gunshot wound of left leg, rheumatism, and disease of chest.

The report of the board of surgeons, before whom soldier was examined March 18, 1891, at Hays City, Kans., shows that he was practically unable to perform manual labor by reason of his disabilities. He was rated \$6 for gunshot wound of left leg, \$18 for lung trouble, and \$4 for rheumatism.

Dr. J. Rule Fritts, claimant's family physician, whose evidence is filed with this committee, testified December 24, 1901, that claimant suffers from sciatic rheumatism of both lower limbs, rheumatic affection of back, bullet wound in left leg received in the service, complete deafness of left ear and partial deafness of right ear, and affection of lungs, the result of pneumonia, and that he is by reason of these troubles completely disabled for manual labor.

Claimant is now 62 years of age, and it is shown that he is in destitute circumstances, without property or means of support aside from his small pension of \$12 per month.

In such cases this committee have usually granted a substantial increase by doubling the pension, and this is a case where justice demands similar action.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JACOB O. STOUT.

The next pension business was the bill (S. 6989) granting an increase of pension to Jacob O. Stout.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob O. Stout, late first lieutenant Company B, McLaughlin's squadron, Ohio Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.



The report (by Mr. SNOOK) is as follows:

[Senate Report No. 3780, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6989) granting an increase of pension to Jacob O. Stout, have examined the same and report:

This bill proposes to increase from \$10 to \$30 per month the pension of Jacob O. Stout, late first lieutenant Company B, McLaughlin's squadron, Ohio Volunteer Cavalry.

The records of the War Department show that Jacob O. Stout enlisted October 10, 1861, as sergeant in Company B, McLaughlin's squadron, Ohio Volunteer Cavalry, to serve three years. He was promoted to the rank of second lieutenant February 17, 1863, and to the rank of first lieutenant July 13, 1864, and honorably resigned May 2, 1865, after nearly four years of continuous service. The records further show that he was taken prisoner October 5, 1864, and confined at Columbia, S. C., until March 1, 1865, when paroled.

Soldier is now pensioned at \$10 per month for disease of digestive organs and rectum, and heart, rheumatism, and loss of sight of right eye. It appears from his last medical examination that he is practically unable to perform manual labor by reason of his disabilities. When he was last examined by a board of surgeons for the Bureau, February 2, 1898, he was rated \$4 for injury to testicle; \$4 for varicocele; \$4 for injury to back; \$8 for chronic diarrhea; \$6 for piles; \$6 for rheumatism; \$8 for disease of heart; \$14 for loss of sight of right eye and impaired sight of left eye; \$3 for catarrh, and \$4 for varicose veins of both legs. A later examination, dated September 13, 1899, by an expert oculist at Lima, Ohio, with reference to soldier's eye trouble only, shows that with right eye he has light perception only, and in left eye vision is reduced one-half.

In his own behalf claimant states in a sworn petition filed with this committee that he is 64 years of age and without any means of support whatever except his pension; that he is totally blind in right eye and his left eye is impaired; that he is so afflicted with his back, piles, and heart trouble that a portion of the time he is unable to wait upon himself and requires aid and attendance, and that he is incapable of performing any manual labor whatever.

Other evidence filed with this committee shows that claimant is unable to perform any labor and that he has no means of support whatever aside from his pension.

In view of claimant's advanced age, his long and faithful service, his extreme poverty, and inability to earn a support by his own manual labor by reason of physical disabilities, your committee are of opinion that he can properly be given the rate to which he would be entitled under the general law if all of his disabilities were established as of service origin.

The bill is therefore reported back favorably, with a recommendation, that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

LORENZO D. COUSINS.

The next pension business was the bill (S. 7125) granting an increase of pension to Lorenzo D. Cousins.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lorenzo D. Cousins, late of Company B, Sixth Regiment Maine Volunteer Infantry, and Company E, First Regiment Maine Veteran Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. SULLOWAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 7125) granting an increase of pension to Lorenzo D. Cousins, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Lorenzo D. Cousins, late of Company B, Sixth Regiment Maine Volunteer Infantry, and Company E, First Regiment Maine Veteran Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted April 29, 1861, in Company B, Sixth Maine Volunteer Infantry, and to have reenlisted as a veteran volunteer December 21, 1863, and to have been transferred in September or October, 1864, to Company E, First Maine Veteran Infantry, in which command he served until July 2, 1865, when he was honorably discharged and mustered out. During service he bore the ranks of private and corporal.

The records further show that he was wounded in left leg in battle at Spottsylvania, Va., May 10, 1864, and that he was treated in hospital for such wound and also for chronic bronchitis and diarrhea.

Soldier was originally pensioned under the general law for gunshot wound of left leg at \$4 per month from discharge. He is now pensioned under the act of June 27, 1890, at the rate of \$12 per month for total disability, the result of loss of both legs below the knees and senile debility, and though he is helpless and destitute he can obtain no further relief at the Bureau, his present condition not being the result of his military service.

Soldier's grievous disabilities are clearly shown by the papers on file in his case. In June, 1904, while employed by the Boston and Maine Railroad at Old Orchard Beach, he was run down by an engine and desperately injured, suffering the loss of both legs below the knees, and since then he has been helpless, requiring the use of a wheeled chair all the time. The injury was wholly accidental, and in no wise due to vicious habits. His last medical examination, dated December 22, 1904, shows him to be also afflicted with chronic nasopharyngeal catarrh, disease of stomach, hydrocele, rheumatism, malaria, and wound of left leg.

The papers on file in the Pension Bureau show that claimant is in very indigent circumstances and for some time after his severe injury he was supported and cared for by his Grand Army post. He is 63 years of age.

In view of soldier's faithful service of over four years and his wound received in battle, his helplessness and poverty, your committee are of opinion that an increase of his pension to \$30 per month may very properly be provided to aid in his support.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOHN Q. A. FOSS.

The next pension business was the bill (S. 7034) granting an increase of pension to John Q. A. Foss.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Q. A. Foss, late of Company H, First Regiment Maine Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. SULLOWAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 7034) granting an increase of pension to John Q. A. Foss, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of John Q. A. Foss, of Machias, Me., late of Company H, First Regiment Maine Volunteer Heavy Artillery.

The military records show that John Q. A. Foss enlisted November 6, 1861, in Company D, Sixth Maine Infantry, and was honorably discharged November 5, 1862, upon surgeon's certificate of disability, in consequence of phthisis pulmonalis. He reenlisted February 14, 1863, in Company H, First Maine Heavy Artillery, and was honorably discharged September 1, 1865, in consequence of chronic diarrhea, contracted in service. The hospital records show that he was treated during his first service for remittent fever, and at various times during his second service for chronic diarrhea.

Soldier was originally pensioned under the general law for chronic diarrhea of service origin at \$8 per month from discharge, which rate was reduced to \$6 per month from September 4, 1866, to \$4 per month from September 4, 1867, and to \$2.66 per month from September 4, 1868. His name was dropped from the pension roll under general law from March 4, 1869, on the ground of his failure to claim his pension for three years. He filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total inability to earn a support by manual labor, resulting from rheumatism and resulting disease of heart and general debility and disease of lungs.

On February 28, 1902, claimant applied for restoration under the general law, alleging chronic diarrhea and resulting ailments, but his application was rejected December 11, 1902, on the ground of "claimant's declared inability to furnish medical evidence showing continuance of said disability from date of dropping, March 4, 1869."

Soldier's last medical examination, dated April 8, 1897, shows that he is afflicted with chronic articular rheumatism, affecting all the joints of the body, severe heart disease, general debility, and disease of lungs, and the examining surgeon reports as follows:

"The applicant can not earn a support by manual labor."

In his own behalf claimant states in his petition, filed with this committee, that he is worn out both mentally and physically, and is so disabled as to require the frequent periodical aid and attendance of another person, and he believes such condition is the direct result of his military service; that he owns no property of any description, and has no income from any source except his pension, and that he is largely dependent upon others for support.

In such cases this committee has usually granted a substantial increase by doubling the pension, and this is a case where justice requires similar action.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

BRADFORD BURNHAM.

The next pension business was the bill (S. 6948) granting an increase of pension to Bradford Burnham.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bradford Burnham, late of Company D, Sixteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. SULLOWAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6948) granting an increase of pension to Bradford Burnham, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Bradford Burnham, of Dunbarton, N. H., late of Company D, Sixteenth Regiment New Hampshire Volunteer Infantry, who served from October 13, 1862, to August 20, 1863, and was honorably discharged.

Soldier filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for disease of lungs, rectum, and right arm, and general debility. He has never made claim under the general law.

When claimant was last examined, June 29, 1892, he was reported to be suffering from disease of right arm, rated at \$6; piles, rated at \$6; bronchitis, rated at \$6, and partial deafness, rated at \$6.

Medical evidence filed with the committee shows that claimant is afflicted with deafness, and neuritis of both arms, and is totally disabled for the performance of manual labor. The following is the affidavit of Dr. C. F. Flanders, of Manchester, N. H.:

"This is to certify that I have this day examined Bradford Burnham, of Dunbarton, N. H., who was a private in Company D, Sixteenth Regiment New Hampshire Volunteer Infantry. I find a man 64 years of age, very thin in flesh, quite hard of hearing, nearly entire deafness in left ear, quite active temperament, heart normal; a history of leaving his indoor occupation for developing disease of lungs a few years ago, but no apparent lesion at present; presents a peculiar condition of arms; muscles apparently wasted considerably, right arm most marked, with inability to grasp the hands with force, to raise the arms above shoulders, or lift weight unless carried below the hip line; unable to use or control the muscular force for any length of time; can do no continued labor even of light nature.

"Can grasp pen and write for a minute or two apparently all right, then muscles of hand and arm commence to cramp and become stiffened and useless; complains of much pain at night, especially if arms or hands have been used much during day; says he was treated for

neuritis of right arm for a period of four or more years, commencing in 1892; thinks his trouble has been progressive since that time; he is totally disabled by reason of this trouble to perform manual labor to any extent; can remove his clothing unaided, but requires aid to dress at all times. In my opinion there is little reason to believe his condition will improve.

"I also state that I am in no way related to claimant or interested financially or otherwise in any claim he may make for pension."

"C. F. FLANDERS, M. D.  
"MANCHESTER, N. H., January 19, 1905.

"Personally appeared the within named C. F. Flanders, M. D., and made oath that the foregoing statements to which he has subscribed his name are true.

"Before me,

"[SEAL.]

IRVING E. FORBES, Notary Public.

"MANCHESTER, N. H., January 23, 1905."

In his own behalf claimant states under oath that for the past thirteen years he has only been able to do very light work on account of trouble with his arms, which the physicians call neuritis; that the little real estate he owns is mortgaged for about its full value; his home, worth about \$600, is encumbered for \$400, and that his personal property is not worth more than what he owes on it.

The claimant is reputed to be in every way worthy of relief, and, in view of all the facts, your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

SARAH FERRY.

The next pension business was the bill (S. 6922) granting a pension to Sarah Ferry.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Ferry, widow of John Ferry, late of Company B, Forty-second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The report (by Mr. SULLOWAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6922) granting a pension to Sarah Ferry, have examined the same and report: Sarah Ferry, of Holliston, Mass., is the widow of John Ferry, who was a private in Company B, Forty-second Regiment Massachusetts Volunteer Infantry, and who served from July 9, 1864, to November 11, 1864, when honorably discharged.

Soldier filed and established a claim under the act of June 27, 1890, and was pensioned under said act at the rate of \$6 per month for dyspnea and general debility. He never filed a claim under the general law.

Soldier died April 16, 1902, the cause of his death being stated as injury to right hand. The widow has not filed a claim at the Bureau for the reason that existing laws do not cover her case. She can not prove that her husband's death was the result of his military service, which it would be necessary for her to do to obtain pension under the general law, and her marriage to the soldier subsequent to June 27, 1890, bars her title to pension under the act of that date.

The proof filed with this committee shows that claimant was married to soldier October 1, 1890, a few months after the enactment of the act of June 27, 1890, and she lived with him as his wife until his death, in April, 1902. The public records show that it was the first marriage of both parties.

The widow is now about 50 years of age, and it is shown in evidence that she has no property or means of support other than her daily labor. Her dependence under the law is clearly established, and the only bar to her pension under the act of June 27, 1890, is the fact that her marriage occurred a few months subsequent to that date.

Your committee are of opinion that the requirement of the act of June 27, 1890, in respect to date of marriage may properly be waived in her case, and that she should be pensioned at the rate of \$8 per month, as provided in said act.

The bill is therefore reported back favorably, with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JACOB ORMEROD.

The next pension business was the bill (S. 6706) granting an increase of pension to Jacob Ormerod.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Ormerod, late of Company K, Thirteenth Regiment New Hampshire Volunteer Infantry, and captain Company K, Forty-fifth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. SULLOWAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6706) granting an increase of pension to Jacob Ormerod, have examined the same and report:

This bill proposes to increase from \$10 to \$30 per month the pension of Jacob Ormerod, late of Company K, Thirteenth Regiment New Hampshire Volunteer Infantry, and captain Company K, Forty-fifth Regiment United States Colored Volunteer Infantry.

The papers on file in the Pension Bureau show that Jacob Ormerod was a good soldier, with an honorable record of over three years' service. He enlisted August 15, 1862, and served as private and corporal in Company K, Thirteenth New Hampshire Infantry, until promoted and transferred to Company F, Forty-fifth United States Colored Troops. He was promoted to the rank of first Lieutenant September 8, 1864, and to the rank of captain Company K, Forty-fifth United States Colored Troops, and was honorably discharged and mustered out with his company November 4, 1865.

Soldier is now pensioned at \$10 per month for contraction of fingers of both hands. It appears by the last report of the board of examin-

ing surgeons, dated August 26, 1902, that he is practically unable to perform manual labor. His disability is described as follows:

Contraction of fingers: Right hand, all of the fingers, including thumb, more or less contracted; thumb limited one-half in extension; forefinger and middle limited one-fourth in extension; ring and little finger limited seven-eighths in extension; none of the fingers limited in flexion. Left hand, thumb limited one-half in extension; forefinger limited one-third in extension; middle finger limited one-half in extension; ring finger limited one-fourth in extension; little finger one-fourth in extension; no limitation in flexion. As a whole, he is unable to grasp any instrument in either hand with any degree of satisfaction.

The certificate of Dr. Charles E. Nammack, of New York City, filed with this committee, shows that claimant is suffering from Dupuytren's contraction of each hand to so great an extent as to totally disable him for the performance of manual labor.

Claimant is now 59 years of age and in very poor circumstances financially. Through reverses in recent years he has lost all of his means and is now compelled to appeal for aid; he has also an invalid wife dependent upon him. He is totally disabled for earning a living with his hands. The fingers of each hand have contracted so that most of them are drawn down hard into the palm of the hand, so that he is unable to dress or undress himself.

In view of claimant's advanced age, the length and distinguished character of his services (he being promoted from a private to the rank of captain), his poverty and inability to earn a support by his own manual labor by reason of physical disability, your committee are of opinion that the increase proposed in the bill is fully warranted, and therefore report the same back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

CHARLOTTE JOHNSON.

The next pension business was the bill (S. 6698) granting an increase of pension to Charlotte Johnson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charlotte Johnson, widow of George W. Johnson, late of Companies K and E, Ninth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The report (by Mr. BRADLEY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6698) granting an increase of pension to Charlotte Johnson, have examined the same and report:

This bill proposes to increase from \$8 to \$12 per month the pension of Charlotte Johnson, of Portland, Me., widow of George W. Johnson, late of Companies K and E, Ninth Regiment Maine Volunteer Infantry, who served as private and corporal from September 22, 1861, to September 27, 1864, and was honorably discharged.

Soldier never filed a claim for pension. The widow filed a claim under the general law February 7, 1874, which was rejected May 9, 1877, on the ground that soldier's death, which occurred April 7, 1870, was not due to his military service. She also filed a claim under the act of June 27, 1890, established it, and since October 8, 1890, has been pensioned under said act at \$8 per month.

Claimant was married to soldier April 30, 1854, and is now 73 years of age. It is shown in evidence that she has no property, real or personal, and no means of support except her pension of \$8 per month. It appears further that she is in very feeble health, unable to labor, and has no one to help her, and is largely dependent upon charity for support.

Claimant was the wife of the soldier during the whole period of his service, and cared for him in his sickness after his discharge and until his death. She is a war widow, and her advanced age and great destitution warrant the increase of her pension to the general-law rate of \$12 per month, as proposed in the bill, the passage of which is recommended.

The bill was ordered to third reading; and it was accordingly read the third time, and passed.

LEWIS SECOR.

The next pension business was the bill (S. 6374) granting an increase of pension to Lewis Secor.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis Secor, late of Company F, Fourth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. BRADLEY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6374) granting an increase of pension to Lewis Secor, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Lewis Secor, late of Company F, Fourth Regiment Vermont Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted August 21, 1863, as private in above organization, and to have been honorably discharged July 13, 1865. The records further show that he received a gunshot wound of left hand in the battle of the Wilderness, Virginia, May 5, 1864.

Claimant filed and established a claim under the act of June 27, 1890, and was originally pensioned under said act at \$8 per month from October 21, 1896, which rate was increased to \$10 per month from October 16, 1901, and to \$12 per month from December 16, 1903. His disabilities for which pensioned are gunshot wound of left hand, disease of heart, senile debility, and double inguinal hernia.

Claimant also filed a claim under general law December 1, 1896, for gunshot wound of left hand, received in the battle of the Wilderness, Virginia, May 5, 1864, but the same was rejected September 23, 1897, on the ground that he was not entitled to a rating under general law for gunshot wound of left hand equal to that he was then receiving under the act of June 27, 1890.

Claimant is about 70 years of age. It appears from the last report



of the board of examining surgeons, dated December 16, 1903, that he is practically incapacitated for the performance of manual labor. He was then rated \$4 for gunshot wound of left hand, \$8 for double inguinal hernia, \$12 for senile debility, \$10 for heart disease, and \$2 for rheumatism.

Evidence filed with this committee shows that claimant has heart disease, rheumatism, and rupture, which, with his advanced years, totally incapacitate him for performing any manual labor. It is also shown that he is in very indigent circumstances, being partly supported by the town and charitable neighbors. He has no means of support except his pension of \$12 per month, and he has a blind wife dependent upon him.

In view of his advanced age, his faithful service of two years, his extreme poverty, and total inability to earn a support by his own manual labor, your committee are of opinion that an increase of his pension to \$30 per month may very properly be provided in his case.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ELIAS THOMAS.

The next pension business was the bill (S. 3122) granting an increase of pension to Elias Thomas.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elias Thomas, late of Company G, Fourteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 3122) granting an increase of pension to Elias Thomas, have examined the same and report:

This bill proposes to increase from \$12 to \$20 per month the pension of Elias Thomas, of Deepvalley, W. Va., late of Company G, Fourteenth Regiment West Virginia Volunteer Infantry.

Soldier enlisted September 10, 1862, and was honorably discharged June 27, 1865. During service he bore the rank of private and corporal. The hospital records furnish no evidence of treatment or disability during service.

Soldier filed and established a claim under the general law and was originally pensioned for right inguinal hernia at \$4 per month from discharge to November 20, 1878, when disability ceased to exist.

He also filed and established a claim under the act of June 27, 1890, and was pensioned in May, 1892, at \$8 per month from August 1, 1890, for disease of eyes and rheumatism. On May 5, 1904, his pension was increased to \$12 per month under the act of June 27, 1890, for senility.

When claimant was last examined, April 1, 1903, he was rated \$2 for disease of eyes, \$6 for varicocele of both sides, \$2 for catarrh, and \$4 for general debility. The examining surgeons further reported as follows:

"General debility is very evident, emaciation well marked, and all muscles very soft and flabby; skin and mucous membrane pale and anemic."

Medical evidence filed with this committee shows that claimant is afflicted with rheumatism, varicocele, and disease of eyes, and is practically unable to perform manual labor. He is 70 years of age, and it is shown that he is in very poor circumstances financially. He owns a small tract of land worth about \$500, which has a rental value of about \$30 per year, and aside from this he has no income other than his pension of \$12 per month.

In view of claimant's advanced age, his faithful service of nearly three years, his poverty, and inability to earn a support by his own manual labor by reason of physical disabilities, your committee are of opinion that a reasonable increase of his pension may very properly be provided to aid in his support.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOHN C. WILKINSON.

The next pension business was the bill (S. 1660) granting an increase of pension to John C. Wilkinson.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John C. Wilkinson, late of Company D, Second Regiment Nebraska Volunteer Cavalry, and Company M, Second Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 1660) granting an increase of pension to John C. Wilkinson, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of John C. Wilkinson, late of Company D, Second Regiment Nebraska Volunteer Cavalry, and Company M, Second Regiment Colorado Volunteer Cavalry.

The records of the War Department show that John C. Wilkinson, the claimant under this bill, enlisted October 15, 1862, as private in Company D, Second Nebraska Cavalry, and was honorably discharged September 18, 1863. He again enlisted December 21, 1864, as a private in Company M, Second Colorado Cavalry, and was honorably discharged September 23, 1865. The hospital records furnish no evidence of soldier's treatment or disability during service.

He filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total disability for manual labor, the result of injury to right shoulder, and general debility and enlarged left knee. He has never made claim under the general law.

Claimant was examined February 18, 1903, by a board of surgeons at Salt Lake City, Utah, and reported to be suffering from injury to

right shoulder and arm, rupture, injury to left leg, and debility, and so disabled thereby as to be incapacitated from performing any manual labor, and entitled to \$30 a month.

Claimant is 57 years of age, and it is shown by evidence filed with this committee that he is in destitute circumstances, without property or means of support for himself and wife aside from his pension of \$12 per month.

In view of soldier's faithful service, his extreme poverty, and total inability to earn a support by his own manual labor by reason of physical disability, your committee are of opinion that he can properly be allowed the rate to which he would be entitled under the general law if his disabilities were established as of service origin.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOHN M. REIMER.

The next pension business was the bill (S. 1299) granting a pension to John M. Reimer.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Reimer, late of Company C, One hundred and third Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1299) granting a pension to John M. Reimer, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3361, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 1299) granting a pension to John M. Reimer, have examined the same and report:

It is proposed by this bill to grant a pension of \$12 per month to John M. Reimer, of Monte Vista, Colo., who served as a private in Company C, One hundred and third Regiment New York Volunteer Infantry, for a period of eighty-four days, having enlisted at New York City February 14, 1862, and being honorably discharged and mustered out with his company at Newburn, N. C., May 8, 1862.

Soldier has never made claim at the Bureau, either under the general law or the act of June 27, 1890. It is not alleged or proved that he incurred any disability during service, which he would have to do to obtain pension under the general law, and his term of service was less than the ninety days required by the act of June 27, 1890.

Claimant was born May 14, 1829, and is consequently over 75 years old. It appears that he is infirm and broken in health, and wholly incapacitated by reason of the infirmities of age for earning a support by manual labor. It also appears that he is in very needy circumstances and greatly in need of help. The fact that he is an inmate of the Soldiers' and Sailors' Home at Monte Vista, Colo., fully established his poverty.

In view of his advanced age, total disability, and extreme poverty, your committee are of opinion that the requirement of law in respect to length of service, he having served but six days less than the statutory period of ninety days, may very properly be waived in his case, and that he should be pensioned at the maximum rate of \$12 per month provided by the act of June 27, 1890.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

HELEN B. MESSENGER.

The next pension business was the bill (S. 6993) granting an increase of pension to Helen B. Messenger.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen B. Messenger, widow of Benjamin F. Messenger, late of Company K, Sixteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6993) granting an increase of pension to Helen B. Messenger, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3817, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6993) granting a pension to Helen B. Messenger, have examined the same and report:

This bill proposes to increase from \$8 to \$12 per month the pension of Helen B. Messenger, of Upper Alton, Ill., widow of Benjamin F. Messenger, late of Company K, Sixteenth Regiment Vermont Volunteer Infantry, who served from September 15, 1862, to August 10, 1863, and was honorably discharged.

Soldier never applied for pension under the general law. He filed and established a claim under the act of June 27, 1890, and was pensioned under said act at \$12 per month for disease of heart and general debility. He died November 27, 1892, the cause of his death being alleged as Bright's disease of kidneys.

Mrs. Messenger has never filed a claim under the general law. She filed a claim under the act of June 27, 1890, established it, and since April 20, 1901, has been pensioned under said act at \$8 per month.

Claimant was married to soldier October 9, 1867, and is now about 57 years of age. That she is poor is evidenced by the fact that she is pensioned under the act of June 27, 1890. The only property she has is a small cottage valued at \$850, but which is mortgaged for \$500. Her health is very poor and she is physically incapacitated for earning

a living. She has no money or means whatever, and makes a precarious living by keeping a few boarders.

An increase of her pension to the general-law rate of \$12 per month is recommended, that being the rate she would receive if she could prove that her husband's death was due to his military service.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JUDSON L. MANN.

The next pension business was the bill (S. 6946) granting an increase of pension to Judson L. Mann.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Judson L. Mann, late of Company G, Seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6946) granting an increase of pension to Judson L. Mann, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3736, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6946) granting an increase of pension to Judson L. Mann, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Judson L. Mann, late of Company G, Seventeenth Regiment Indiana Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted June 12, 1861, as private in above organization; to have reenlisted as a veteran volunteer January 4, 1864, and to have been honorably discharged August 8, 1865, after four years of continuous service.

He was originally pensioned under the general law for chronic diarrhea of service origin at \$2 per month from discharge, which was increased to \$4 per month from January 4, 1888. He is now pensioned at \$12 per month under the act of June 27, 1890, for loss of left arm near shoulder.

Claimant is 60 years old, and by reason of his advanced age and loss of arm is wholly incapacitated for the performance of manual labor. He lost his left arm in a railroad accident in May, 1892, while in the employ of the Point Defiance and Tacoma (Wash.) Railway Company. It is shown that he is a man of excellent and exemplary character, and that his severe disability was not occasioned by any bad habits.

The papers on file in the Pension Bureau show that claimant is a poor man and entirely dependent upon his pension for support. His claim was made special in the Bureau on account of his total disability and destitution.

In view of soldier's long and faithful service, his totally disabled condition, and extreme poverty your committee are of opinion that an increase of his pension to \$30 per month, as proposed in the bill, may very properly be provided to aid in his support.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

ALLEN THOMPSON.

The next pension business was the bill (S. 6901) granting an increase of pension to Allen Thompson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Allen Thompson, late of Company K, Fourth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6901) granting an increase of pension to Allen Thompson, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3725, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6901) granting an increase of pension to Allen Thompson, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Allen Thompson, late of Company K, Fourth Regiment New York Volunteer Heavy Artillery.

The records of the War Department show that Allen Thompson enlisted September 14, 1861, as a private in Company K, Eighty-first New York Infantry, and was honorably discharged April 18, 1862, upon surgeon's certificate of disability, in consequence of phthisis. He reenlisted April 25, 1863, as a private in Company K, Fourth New York Heavy Artillery, and was honorably discharged and mustered out with his company September 26, 1865. He again enlisted in the Regular Army March 6, 1866, and was assigned to Company E, Fourth United States Infantry, and was finally and honorably discharged by expiration of service March 6, 1869. The hospital records show that he was treated for chronic diarrhea, and during his last service for itch, diarrhea, and frostbite.

Claimant filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total disability, the result of disease of nervous system and impaired vision. He filed a claim under the general law February 24, 1882, alleging that on march from Oswego to Washington about March, 1862, he contracted phthisis and measles and is troubled with bronchitis each year. This claim was rejected May 6, 1890, on

the ground that after special examination there is no satisfactory evidence of the origin in service of disease of lungs or bronchitis from which claimant now suffers. This action was affirmed on appeal November 12, 1898, by Assistant Secretary Thomas Ryan, and again November 24, 1899, by Assistant Secretary Webster Davis.

There is some evidence on file tending to show the origin of phthisis in the claimant's first service, but there is no satisfactory evidence to show that the disability continued to exist in a pensionable degree during his five years and more of hard service under his two subsequent enlistments. The preponderance of the testimony taken on special examination is adverse, showing clearly that during his subsequent services he was a sound healthy man, and the action of the Bureau rejecting the general-law claim seems to have been correct.

It appears by the report of the last board of examining surgeons, dated December 2, 1903, that claimant is totally disabled, by disease of nervous system and impaired sight, for manual labor. His disabilities are described as follows:

Disease of nervous system: Has slight muscular tremor of tongue and hands. Eyes: Cataract on both eyes, can not count fingers with right eye; can count fingers at distance of 2 feet with left eye; is able to distinguish objects on street in bright light.

Claimant's present condition is shown by the following medical affidavit, filed with this committee:

CHEYENNE, WYO., January 18, 1905.

I certify I have known Allen Thompson for about twenty years in Cheyenne, Wyo. He served in Company —, — Regiment —. His physical condition at this time is as follows, viz: He suffers with anemia and his mental faculties to the extent that he is almost irresponsible for his acts, and wholly unable to take care of himself, requiring the constant attendance of another person; his eyesight has nearly failed him, so that he sees objects very faintly; loss of vision four-fifths. I consider his diseases incurable. I am a practicing physician, residing in Cheyenne, Wyo., and have treated soldier at different times for two years for his present ailments. I graduated in medicine at the Keokuk (Iowa) Medical College in 1865.

W. W. CROOK, M. D.

STATE OF WYOMING, Laramie County, ss:

The foregoing certificate of Dr. W. W. Crook was subscribed and sworn to before me by him this 19th day of January, 1905, and I certify that affiant is a reputable physician in good standing in the profession, and I have no interest in this claim.

[SEAL.] ALBERT CHAPMAN, Notary Public.  
(My commission expires March 2, 1908.)

It appears that claimant is 57 years of age. It is shown that he is in destitute circumstances and without any means of support except his pension of \$12 per month. He has a small house worth about \$500, but it is mortgaged for \$300. His only income is his pension.

Your committee are of opinion that claimant's long and faithful service, his helpless condition, and almost total blindness, and extreme poverty warrant an increase of his pension to \$30 per month.

The bill is therefore reported back favorably, with a recommendation that it pass.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

ALFRED DIEHL.

The next pension business was the bill (S. 6749) granting an increase of pension to Alfred Diehl.

The bill was read, as follows.

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred Diehl, late of Company I, Sixty-eighth Regiment Illinois Volunteer Infantry, and Company A, Eleventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6749) granting an increase of pension to Alfred Diehl, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3711, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6749) granting an increase of pension to Alfred Diehl, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Alfred Diehl, late of Company I, Sixty-eighth Regiment Illinois Volunteer Infantry, and Company A, Eleventh Regiment Indiana Volunteer Cavalry.

The military records show that Alfred Diehl enlisted June 2, 1862, as private in Company I, Sixty-eighth Illinois Infantry, and was honorably discharged September 26, 1862. He again enlisted October 30, 1863, and served as a private and as a noncommissioned officer in Company A, Eleventh Indiana Cavalry, until September 19, 1865, when honorably discharged. The hospital records show that he was treated during service for intermittent fever and acute diarrhea.

Claimant filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for locomotor ataxia. He filed a claim under the general law May 21, 1902, alleging locomotor ataxia and injury to back as due to service, but his claim was rejected March 25, 1904, upon the ground of no record or other evidence of service origin.

All the evidence on file, including the reports of boards of examining surgeons, shows that claimant is totally disabled and partially helpless. His last medical examination, dated August 20, 1902, reports him as requiring the frequent and periodical attendance of another person in dressing and attending to the wants of nature, and is rated at \$50 per month for locomotor ataxia.

It appears that claimant is now about 60 years of age, and that he is poor and in need of relief. There is no question as to his present condition; he is almost helpless, and if his disability were proved to have originated during his service he would be entitled to \$50 per month. It is not so proved, however, but the records show he was a good soldier, with an honorable record of over two years' service, and in view of his deplorable physical condition and great poverty your



committee are of opinion that an increase of pension to \$30 per month is fully warranted.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

PIERCE M'KEOGH.

The next pension business was the bill (S. 6354) granting an increase of pension to Pierce McKeogh.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Pierce McKeogh, late of Company F, First Regiment New Mexico Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6354) granting an increase of pension to Pierce McKeogh, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3372, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6354) granting an increase of pension to Pierce McKeogh, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension to Pierce McKeogh, late of Company F, First Regiment New Mexico Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted October 4, 1861, and to have served as private and corporal in Companies F, G, and K, First Regiment New Mexico Cavalry, until October 31, 1864, when he was honorably discharged. He again enlisted November 21, 1864, and served as private and corporal in Company F, First New Mexico Infantry, until November 22, 1865, when honorably discharged. The hospital records show that he was treated during service for common fever, dysentery, and remittent fever.

Claimant filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total inability to earn a support by manual labor, resulting from double complete inguinal hernia and disease of lungs.

When he was last examined, May 23, 1894, he was reported to be suffering from double hernia, bronchitis, and asthma, and the concluding paragraph of the examining surgeon's report is as follows:

"In opinion of board, claimant is totally disabled for manual labor by reason of hernia, bronchitis, and asthma."

Other evidence on file in the Pension Bureau shows that claimant is suffering from bronchial asthma, double hernia, impaired sight, and the infirmities of age generally, and confirms the findings of the examining surgeons as to his total disability for manual labor.

It appears that claimant is about 75 years of age, and in destitute circumstances, without property, and entirely dependent upon his pension for support.

In view of his advanced age, his faithful service of four years, his extreme poverty, and total inability to earn a support by his own manual labor by reason of physical disabilities, your committee are of opinion that he can properly be given the rate to which he would be entitled under the general law if his disabilities were established as of service origin.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

DEMPSEY FERGUSON.

The next pension business was the bill (S. 6099) granting an increase of pension to Dempsey Ferguson.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dempsey Ferguson, late of Company B, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6099) granting an increase of pension to Dempsey Ferguson, have examined the same, and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3484, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6099) granting an increase of pension to Dempsey Ferguson, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of Dempsey Ferguson, of Gibbon, Nebr., late of Company B, Sixty-fifth Regiment Illinois Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted April 10, 1862, as private in above organization, and to have been honorably discharged October 31, 1862, upon surgeon's certificate of disability in consequence of disease of heart existing prior to enlistment.

He filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total inability to earn a support by manual labor, resulting from rheumatism, injury to right hand, and varicose veins of left leg. He filed a claim under the general law May 20, 1899, for rheumatism and disease of lungs, but the same was rejected September 11, 1902, on the ground of no record or other satisfactory evidence of service origin.

Claimant was born February 15, 1825, and is consequently nearly 80 years old. All the evidence on file, including the last report of the board of surgeons at Keithsburg, Ill., March 7, 1900, shows that he is totally disabled for manual labor by reason of his disabilities. He was

then rated \$17 for rheumatism, \$12 for disease of stomach and bowels, \$17 for disease of lungs, \$10 for varicose veins of both legs, and \$8 for injury of the right hand.

Evidence filed with this committee shows that claimant is totally unable to perform manual labor, and that he has no means of support for himself and wife except his pension of \$12 per month.

An increase of soldier's pension to \$24 per month is recommended on the ground of his present condition. It is not shown to be due to his service, which was less than one year, and no higher rate is warranted.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

THEODORE P. RYNDER.

The next pension business was the bill (S. 3556) granting an increase of pension to Theodore P. Rynder.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theodore P. Rynder, late second lieutenant Company G, Fifty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3556) granting an increase of pension to Theodore P. Rynder, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3694, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 3556) granting an increase of pension to Theodore P. Rynder, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Theodore P. Rynder, of Erie, Pa., late second lieutenant Company G, Fifty-eighth Regiment Pennsylvania Volunteer Infantry.

The military records show that Theodore P. Rynder served from September 22, 1861, to February 9, 1863. He enlisted early in the war as sergeant in Company G, Fifty-eighth Pennsylvania Infantry, and was promoted second lieutenant May 18, 1862, and honorably resigned for physical disability February 9, 1863.

Soldier filed and established a claim under the general law and is now in receipt of a pension of \$15 per month for malarial poisoning and resulting myalgia, indigestion, and heart disease and piles, incurred during his military service. He can obtain no further relief from the Bureau, his last claim for increase having been rejected October 7, 1892.

Soldier has not been examined by surgeons for the Bureau since July 5, 1893, when he was rated \$4 for malarial poisoning, \$6 for indigestion, \$4 for heart disease, and \$4 for piles. It appears from medical evidence filed with this committee that he is now totally unable to perform manual labor. Dr. A. Z. Randall, of Erie, Pa., testifies that claimant is afflicted with heart disease and double inguinal hernia and with a bad case of hemorrhoids; that he has no control over his defecation, and his bowels are in such a condition that he scarcely dares to go to church or places of amusement, and that he has examined claimant and finds him suffering from above ailments and is totally unable to perform manual labor.

Claimant is 66 years of age. In his sworn petition filed with this committee he states that he owns no real estate and but little personal property, and that his income is practically limited to his pension of \$15 per month; that he and his wife are living in a house owned by his wife, which is mortgaged for \$2,800. He further states that his increasing disability from the disease for which he pensioned, and from the double rupture, which he believes came from the weakness of his bowels, makes it necessary for him to appeal to Congress for relief.

In view of all the facts your committee are of the opinion that soldier is worthy of the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

HANNAH B. NYCE.

The next pension business was the bill (S. 4588) granting a pension to Hannah B. Nyce.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah B. Nyce, widow of Hiram Nyce, late of Company I, Second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 4588) granting a pension to Hannah B. Nyce, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3451, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 4588) granting a pension to Hannah B. Nyce, have examined the same and report:

This bill proposes to grant a pension of \$8 per month to Hannah B. Nyce, widow of Hiram Nyce, late of Company I, Second Regiment Pennsylvania Volunteer Infantry.

The records of the War Department show that Hiram Nyce was enrolled in Company I, Second Pennsylvania Infantry, May 23, 1861, and was mustered out with his company July 26, 1861. He died August 26, 1880, of pulmonary tuberculosis (phthisis).

Soldier never filed a claim for pension, and the widow has not filed a claim under the act of June 27, 1890, for the reason that soldier's service was less than ninety days. She filed a claim under the general law

May 25, 1897, which was rejected September 23, 1898, on the ground that the evidence fails to show that soldier's death was the result of his military service.

The widow filed affidavits of three comrades to show that soldier contracted diarrhea in June, 1861; also affidavits of acquaintances and neighbors, wherein it is stated that the soldier complained of diarrhea after his muster out. Some of the witnesses say he suffered from piles, and eventually a fistula in ano developed upon which an operation was performed. There is no medical evidence to substantiate the evidence of the laymen, comrades, and neighbors. The only medical testimony in the case is an affidavit of Dr. M. H. Fussell, who testified, in effect, that he "has been informed" as to soldier's condition and sickness. It does not appear that he ever treated soldier for any disease.

The rejection of the claim by the Bureau was correct, as the evidence fails to connect soldier's death with his military service.

Claimant was married to soldier December 24, 1862, and is now about 60 years of age. The evidence on file in her claim at the Bureau shows that she has no property and is entirely dependent upon her own labor for support.

In view of all the facts your committee recommend that she be allowed the pension of \$8 per month provided by the act of June 27, 1890.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

ELLA M. EWING.

The next pension business was the bill (S. 4684) granting an increase of pension to Ella M. Ewing.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ella M. Ewing, widow of Thomas Ewing, late captain Company I, Third Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 4684) granting an increase of pension to Ella M. Ewing, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3689, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 4684) granting an increase of pension to Ella M. Ewing, have examined the same and report:

This bill as amended proposes to increase from \$8 to \$12 per month the pension of Ella M. Ewing, widow of Thomas Ewing, late captain Company I, Third Regiment Pennsylvania Volunteer Cavalry.

Thomas Ewing, the soldier named in this bill, is shown by the records of the War Department to have enlisted August 12, 1861, in Company E, Third Pennsylvania Cavalry, and to have served as a private and as a noncommissioned officer until his transfer to Company B of the same regiment. He was promoted to the rank of second lieutenant Company B, October 11, 1864; to the rank of first lieutenant Company I, same regiment, November 29, 1864, and to the rank of captain January 14, 1865, and was honorably discharged and mustered out June 6, 1865, thus showing nearly four years of continuous service.

Soldier filed and established a claim under the act of June 27, 1890, and was pensioned under said act at \$12 per month for ventral hernia, right incomplete inguinal hernia, varicose veins of left leg, and injury to jaw. He died May 16, 1895, the cause of his death, as shown by the public record, being acute softening of the brain from thrombosis of cerebral arteries.

Ella M. Ewing, the widow of the soldier, filed a claim under the general law July 26, 1895, which was rejected November 29, 1898, on the ground of claimant's inability to show that her husband's death was the result of his military service. She also filed a claim under the act of June 27, 1890, established it, and since July 26, 1895, has been pensioned under said act at \$8 per month.

Claimant was married to the soldier November 30, 1871, and is now about 53 years old. It is shown in the evidence that she has no property of any kind and is dependent upon her small pension of \$8 per month and her own efforts for support. It appears that she is in very poor health and has severe attacks of heart trouble, which greatly impair her ability to support herself.

While there is no question but that the action of the Pension Bureau in rejecting the widow's general-law claim was correct, yet it is highly probable that soldier's health suffered in consequence of the exposure and hardships of his long service. In view of the length and distinguished character of his services (he having been promoted from private to the rank of captain) and the widow's necessitous circumstances, your committee are of opinion that a reasonable increase of her pension may very properly be provided to aid in her support.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ALVAN P. GRANGER.

The next pension business was the bill (S. 6357) granting an increase of pension to Alvan P. Granger.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alvan P. Granger, late first lieutenant Company F, Eighth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6357) granting an increase of pension to Alvan P. Granger, have examined the same and adopt the Senate report thereon and recommend that the bill pass.

[Senate Report No. 3369, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6357) granting an increase of pension to Alvan P. Granger, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Alvan P. Granger, late first lieutenant Company F, Eighth Regiment Illinois Volunteer Cavalry.

The records of the War Department show that Alvan P. Granger was enrolled August 31, 1861, and was mustered into service September 18, 1861, as second lieutenant with Company F, Eighth Illinois Cavalry; that he was promoted first lieutenant August 4, 1862, and that he honorably resigned May 30, 1863, on account of physical disability from bronchitis and debility resulting from an attack of pneumonia.

Soldier filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total inability to earn a support by manual labor resulting from senile debility, epilepsy, and partial paralysis of left side. He has never made claim under the general law.

All the evidence on file, including the affidavits of several surgeons, shows that claimant is totally disabled for manual labor. The board of examining surgeons before whom he was last examined at Boulder, Colo., December 2, 1903, reported him as suffering from senile debility, epilepsy, and paralysis of left side; that he walked with a cane, with feeble, tottering gait, dragging left side, and that he was unable to dress or undress without assistance, and was totally disabled.

Claimant is 67 years of age. Evidence filed with this committee shows that he is totally disabled for any sort of manual labor and is incapable of taking care of himself. It is also shown that he owns no property and is entirely dependent upon his pension for support.

There are many precedents for special legislation in cases of this character, in view of which your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JAMES K. BROOKS.

The next pension business was the bill (S. 1690) granting an increase of pension to James K. Brooks.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James K. Brooks, late of Company A, Ninth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1690) granting an increase of pension to James K. Brooks, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3743, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 1690) granting an increase of pension to James K. Brooks, have examined the same and report:

This bill proposes to increase from \$24 to \$36 per month the pension of James K. Brooks, late of Company A, Ninth Regiment Michigan Volunteer Infantry.

Claimant served from August 13, 1861, to June 3, 1865, when he was honorably discharged. He was wounded in back at Murfreesboro, Tenn., July 13, 1862, and is now in receipt of a pension of \$24 per month, having been raised at different times from \$4 per month on account of increased disability from gunshot wound of back, with resulting disease of spine. He filed his last claim for increase November 18, 1903, but the same was rejected May 28, 1904, on the ground that his rate was adequate for the disability resulting from gunshot wound and results, his condition being due in part to other than pensioned cause.

Claimant's last medical examination, dated March 9, 1904, shows that he is totally disabled for manual labor and requires the frequent and periodical aid and attendance of another person, being rated at \$50 per month. His condition proceeds from gunshot wound of back, with resulting disease of spine, injury of head and results, and total blindness in right eye, the latter disabilities not being due to his military service.

Claimant is 62 years of age. It is shown by evidence filed with this committee that he is in destitute circumstances, without property, and entirely dependent upon his pension for the support of himself and wife.

In view of his service of nearly four years, his almost helpless condition and extreme poverty, your committee are of opinion that a reasonable increase of his pension may very properly be provided to aid in his support.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

RICHARD GABLE.

The next pension business was the bill (S. 4551) granting an increase of pension to Richard Gable.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard Gable, late of Company A, Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 4551) granting an increase of pension to Richard Gable, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3442, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 4551) granting an increase of pension to Richard Gable, have examined the same and report.



This bill proposes to increase from \$12 to \$30 per month the pension of Richard Gable, late of Company A, Fifty-third Regiment Pennsylvania Volunteer Infantry.

The military records show that Richard Gable enlisted September 12, 1861, as private in Company A, Fifty-third Pennsylvania Infantry; that he reenlisted as a veteran volunteer in same company and regiment December 22, 1863, and that he was honorably discharged and mustered out June 30, 1865, thus showing nearly four years of continuous service. The records further show that he was captured by the enemy in battle at Chickahominy, Va., May 31, 1862, and confined in prisons at Richmond, Va., and Salisbury, N. C., until September 13, 1862, when paroled.

Soldier was originally pensioned under the general law for lumbago at \$4 per month from May 20, 1887, which was finally increased to \$6 per month from March 2, 1898. He is now pensioned under the act of June 27, 1890, at \$12 per month for total disability, due to lumbago and paralysis agitans.

It appears by the last report of the board of examining surgeons, dated June 10, 1902, that claimant is afflicted with lumbago, incomplete left inguinal hernia, paralysis agitans, heart disease, and general and senile debility, and is wholly unable to perform any manual labor. The examining surgeons further report that he is very feeble and debilitated and that he requires assistance in dressing.

Medical evidence filed with this committee shows that claimant is totally disabled and unable to help himself by reason of paralysis agitans of right side and that his case is incurable. He is about 65 years of age and was formerly a laborer by occupation. He is now unable to earn a support for himself and is in destitute circumstances and greatly in need of relief.

Your committee are of opinion that soldier's long and faithful service, his deplorable condition, and great poverty warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### WILLIAM KLINGENSMITH.

The next pension business was the bill (S. 5321) granting an increase of pension to William Klingensmith.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Klingensmith, late of Company K, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5321) granting an increase of pension to William Klingensmith, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3782, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5321) granting an increase of pension to William Klingensmith, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of William Klingensmith, late of Company K, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry.

The military records show that William Klingensmith, the claimant under this bill, first enlisted October 1, 1863, as a private in Company K, Fourth West Virginia Cavalry, and served until March 10, 1864, when honorably discharged.

He reenlisted February 18, 1865, as a private in Company K, One hundred and eighty-seventh Ohio Infantry, and was honorably discharged and mustered out January 20, 1866. The hospital records furnish no evidence of soldier's disability or treatment during service.

Soldier, however, filed and established a claim under the general law on account of injury to breast and resulting disease of lungs, and was originally pensioned at \$4 per month, from August 1, 1887 (date of filing claim), which was increased to \$6 per month from March 2, 1895, and to \$8 per month from July 5, 1899. On May 28, 1900, he filed a claim under the act of June 27, 1890, and he was allowed pension under said act at \$10 per month from date of filing claim for partial inability to earn a support by manual labor, the result of disease of heart and piles. He applied for renewal and increase under the general law September 30, 1901, on account of injury to breast and resulting disease of lungs, and the same was allowed in June, 1902, at \$12 per month from January 22, 1902 (date of his medical examination), this being his present rating. He filed his last claim for increase under general law July 31, 1903, alleging pensioned causes and also resulting disease of heart and disease of back. This claim was rejected March 28, 1904, on the ground that \$12 per month was adequate for his pensioned disability, and disease of heart and of back could not be accepted as results.

On April 4, 1893, claimant filed a claim under the general law for additional pension on account of rheumatism, piles, catarrh, disease of throat, and deafness of right ear. This claim was rejected June 17, 1899, on the ground of "no record, and claimant aided by special examination is unable to prove origin of service." Subsequently additional evidence was filed to reopen the claim, but the same was held, July 15, 1901, to be not sufficient to warrant change of action.

Claimant is now 59 years of age. The board of surgeons before whom he was last examined at Ripley, W. Va., February 3, 1904, described his condition as follows:

"Chest barrel-shaped. Some infra clavicular depression on both sides. Chest measures 34½, 34, and 36 inches. Increased vocal fremitus on both sides. Percussion shows no dullness over any part of chest wall. Auscultation reveals a weak respiratory murmur over all parts of chest with subcrepitant rales. Chest seems flattened laterally and bulging at the second costal cartilages of both sides. Muscles rather flabby. Skin clear and clean.

"We rate him eight-eighths for disease of lungs.

"Area of cardiac dullness increased transversely and downward; apex impulse diffused. Visible epigastric pulsation.

"Heart deficient in force, rhythm seems fair. First sound loud with no murmurs; second short and at times reduplicated. Heart enlarged and dilated. No oedema, dyspnoea, or cyanosis. Says his feet swell at times so he can not put on his shoes.

"We rate him twelve-eighths for heart.

"Hands soft. He evidently does not labor. No evidence of vicious habits.

"No other disability found to exist.

"His heart acted better on slow exercise than when at rest. When examining him and having him worked his pulse standing was 132. His chest heaves upward on inspiration. There seems to be no abdominal expansion when breathing."

It appears from evidence filed with this committee that claimant is in very poor circumstances financially, and is practically dependent upon his pension for support. He owns a small tract of rough hilly land, valued at \$300 or \$400, and personal property to the amount of \$80, but he derives no income therefrom, and his only means of support is his pension of \$12 per month. It further appears from this evidence that claimant is wholly disabled for manual labor and is in great need of assistance.

In such cases this committee usually grants a substantial increase by doubling the pension, and this is a case where justice requires similar action.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### FRANCES H. SCOTT.

The next pension business was the bill (S. 6471) granting an increase of pension to Frances H. Scott.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances H. Scott, widow of John H. Scott, late captain Company E, Seventy-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6471) granting an increase of pension to Frances H. Scott, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3761, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6471) granting an increase of pension to Frances H. Scott, have examined the same and report:

Frances H. Scott, whose post-office address is Chautauqua, Wash., is the widow of John N. Scott, who served as captain Company E, Seventy-ninth Indiana Volunteer Infantry, from September 2, 1862, to March 31, 1864, and as major and additional paymaster, United States Volunteers, from April 1, 1864, to November 15, 1865.

Soldier was wounded in battle at Stone River, Tennessee, January 2, 1863, and was granted a pension under the general law at the rate of \$15 per month from discharge for injury to left arm and shoulder from gunshot wound. He died January 7, 1898, at East Las Vegas, N. Mex., the cause of his death being pneumonia.

Claimant is now in receipt of a widow's pension under the act of June 27, 1890, at the rate of \$8 per month. Her claim under the general law, filed February 21, 1898, was rejected September 19, 1898, on the ground that the soldier's fatal disease, pneumonia, was not the result of the wound for which he was pensioned and was not otherwise due to his military service.

Claimant was married to the soldier October 23, 1877, and is now about 50 years of age. It is shown by the evidence on file in her claim that she has no property and is dependent upon her small pension of \$8 per month. She is in very needy circumstances and wholly without resources. Her eyesight is failing, and she is also in feeble health and physically unable to support herself by either mental or physical labor.

There are many precedents for increasing the pensions of the dependent widows of officers and privates of the wars. In view of this fact your committee recommend the passage of the bill.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### HENRY E. JONES.

The next pension business was the bill (S. 331) granting an increase of pension to Henry E. Jones.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry E. Jones, late first Lieutenant Company D, and captain Company I, One hundred and forty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 331) granting an increase of pension to Henry E. Jones, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3734, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 331) granting an increase of pension to Henry E. Jones, have examined the same and report:

This bill proposes to increase from \$27 to \$40 per month the pension of Henry E. Jones, late first Lieutenant Company D, and captain Company I, One hundred and forty-sixth Regiment New York Volunteer Infantry.

The military records show that Henry E. Jones enlisted August 18, 1862, as private in Company I, One hundred and forty-sixth New York Volunteers. He was appointed first sergeant October 10, 1862, and promoted second Lieutenant Company G, same regiment, February 1, 1863, and first Lieutenant March 1, 1863. He was transferred to Company D in July or August, 1863, and to Company I in September or October, 1863, and promoted captain November 19, 1863. He was mus-

tered out July 16, 1865, being brevetted major, United States Volunteers, March 14, 1865, for faithful and meritorious services.

Major Jones filed a claim under the general law May 16, 1878, alleging that in consequence of cannonading in the battle of Gettysburg, Pa., July 2, 1863, he became partially deaf in left ear and totally deaf in right ear. His claim was allowed June 2, 1881, for total deafness of right ear and partial (nearly total) of left ear, at \$8.50 per month from discharge and \$12.75 per month from January 20, 1879, which rate was increased to \$16 per month November 15, 1887, to \$25 per month August 27, 1888, and to \$27 per month September 19, 1888.

Major Jones is 66 years of age. He was last examined September 19, 1888, and reported by the examining board to be totally deaf in right ear and almost totally deaf in left ear, the Pension Bureau rating for which is \$27 per month.

It appears from evidence filed with the committee that claimant's deafness has increased to that extent that it is now almost impossible to make him understand spoken words, and he is practically totally deaf in both ears. He was and is now a very skillful and successful physician and surgeon, as regards professional knowledge, and formerly had a large practice and a large acquaintance socially. During the past few years, however, his practice has gradually fallen off and he has become isolated socially, all of which is due to the fact that his deafness has increased until his patients and friends can no longer communicate with him.

Having lost his practice, which was his means of support, Doctor Jones is rendered destitute. He has no property and no income aside from his pension. In his own behalf he files the following petition:

STATE OF OREGON, County of Multnomah, ss:

To the Congress of the United States:

On this 24th day of January, 1903, personally appeared before me, a notary public within and for the county and State aforesaid, Henry E. Jones, who, being first duly sworn, says: I reside at No. 49 Seventeenth street, Portland, Oreg., and have lived in this city for twenty-nine years. I am 65 years of age. I enlisted August 18, 1862, in the One hundred and forty-sixth New York Volunteer Infantry; was promoted first sergeant October 1, 1862, second lieutenant January 7, 1863, first lieutenant March 1, 1863, captain November 19, 1863, and to brevet major, United States Volunteers, March 14, 1865, for faithful and meritorious services, and was discharged August 1, 1865.

I am at present receiving a pension of \$27 per month for "total deafness of right ear and partial (nearly total) of left ear," which I believe to be the maximum amount allowed by the Pension Bureau.

The number of my pension certificate is 189586.

While said pension when allowed, namely, January 15, 1889, was commensurate with my injury, since that time my deafness has increased until now I can barely hear anything, and much of the time I can not hear at all. Practically I am totally deaf.

I am by profession a physician and surgeon, and have practiced my profession since May, 1867. While my hearing was only impaired I was able to carry on my profession satisfactorily to my patients, and I had a good practice; but recently, and since said January 15, 1889, the hearing in my only remaining ear has gradually become duller and to that extent that I can not now converse with patients or friends. I am no longer able to obtain the history of my patients or make diagnosis of disease, and consequently my practice has gradually left me until it is now entirely gone.

My communication with my friends has gradually ceased until I am now almost isolated, and I believe that it will be but a very short time when I will be totally deaf.

That said increased deafness has deprived me of my practice and of my means of support and rendered me destitute.

I am not in receipt of any salary from the Government of the United States.

I own no property and my net annual income is nothing.

HENRY E. JONES.

Attest:

J. R. STODDARD.

E. J. LORNE MANION.

Subscribed and sworn to before me this 24th day of January, 1903.

J. R. STODDARD,

Notary Public for Oregon.

It is very evident that soldier's disability amounts to practical total deafness, and there is no appreciable difference between his condition and the condition of total deafness of both ears. An apothecary's scale would be necessary to measure the difference, if in fact any exists. Your committee are therefore of opinion that he can properly be given the rate of \$40 which the general law provides for total deafness of both ears.

The bill is reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

GEORGE W. COLE.

The next pension business was the bill (S. 6921) granting an increase of pension to George W. Cole.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Cole, late of Company C, First Regiment Michigan Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6921) granting an increase of pension to George W. Cole, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3752, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6921) granting an increase of pension to George W. Cole, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of George W. Cole, late of Company C, First Regiment Michigan Volunteer Light Artillery, who served from December 20, 1861, to June 22, 1865, and was honorably discharged.

Soldier filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at \$12 per month for injury to left arm and hand. He has never made claim under the general law.

The board of surgeons before whom claimant was last examined, at Denver, Colo., June 3, 1891, described his condition as follows:

Injury to left arm and cause of explosion; loss of thumb at carpal articulation; loss of portion of carpus and complete ankylosis of wrist joint in supination; flexion of fingers much impaired.

Hardened cerumen in both external canals; hears the watch at 2 inches; pharynx normal; ears otherwise normal; hears the voice in any ordinary tone.

Rheumatism: Has rheumatism in right shoulder, joint swollen, increased in heat, painful on any movement, and tenderness on pressure in joints.

Medical and other evidence filed in the Pension Bureau in October, 1903, shows that claimant is afflicted with chronic rheumatism, affecting every joint in his body, disease of bladder and urinary organs, causing almost constant distress and necessitating the use of catheter, injury to left arm and hand, with destruction of thumb and ankylosis of wrist, and general debility, and is totally incapacitated for any labor, even the lightest kind, and gets about with great difficulty, walking causing him much pain.

It appears that claimant is 61 years of age, and it is shown that he is entirely without means of support aside from his pension of \$12 per month.

Claimant's long and faithful service, his advanced age, total disability, and extreme poverty warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

DAVID WERTZ.

The next pension business was the bill (S. 6762) granting an increase of pension to David Wertz.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David Wertz, late of Battery G, Fourth Regiment United States Artillery, war with Mexico, and Company E, Third Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6762) granting an increase of pension to David Wertz, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3480, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6762) granting an increase of pension to David Wertz, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of David Wertz, of Hastings, Neb., late of Battery G, Fourth Regiment United States Artillery, war with Mexico, and Company E, Third Regiment Missouri Volunteer Cavalry.

The records of the War Department show that David Wertz enlisted in the Regular Army May 5, 1847, and served in the Mexican war as a private in Batteries M and G, Fourth United States Artillery, until August 21, 1848, when honorably discharged. He again enlisted for service in the late war September 9, 1861, as private in Company E, Third Missouri Cavalry, and reenlisted as a veteran volunteer February 29, 1864, and served until March or April, 1865, when transferred to Company A, same regiment. He was transferred to Company A, Eleventh Missouri Cavalry, in May or June, 1865, and was honorably discharged and mustered out July 27, 1865.

Claimant was originally pensioned at \$8 per month on account of his service in the Mexican war. He is now pensioned at \$12 per month under the act of June 27, 1890, for slight deafness of both ears and rheumatism.

It appears that claimant is about 80 years old, afflicted with partial paralysis, rheumatism, deafness, and other infirmities of old age, and is totally disabled for the performance of manual labor. He was last medically examined November 15, 1893, and the concluding paragraph of the examining surgeon's report is as follows:

"Claimant, on account of rheumatism, deafness, and age, is totally incapacitated for the performance of manual labor."

It further appears that claimant is wholly without means or property and is entirely dependent upon his pension of \$12 per month for the support of himself and his feeble and aged wife.

There are numerous precedents for increasing the pensions of the aged, destitute, and totally disabled veterans of the Mexican war and war of the rebellion, and the facts stated above bring this case fully within such precedents.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOSEPH A. ALDRICH.

The next pension business was the bill (S. 6743) granting a pension to Joseph A. Aldrich.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph A. Aldrich, late acting assistant surgeon, United States Army, and pay him a pension at the rate of \$12 per month.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6743) granting a pension to Joseph A. Aldrich, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.



[Senate Report No. 3750, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6743) granting a pension to Joseph A. Aldrich, have examined the same and report:

The bill proposes to grant a pension of \$12 per month to Joseph A. Aldrich, of Denver, Colo., late acting assistant surgeon, United States Army.

The records of the War Department show that Dr. Joseph A. Aldrich served as an acting assistant or contract surgeon from October 1, 1863, to May 13, 1864, when his service was honorably terminated.

On November 12, 1902, he applied for pension under the act of June 27, 1890, but his application was rejected May 2, 1903, under the decision of the Secretary of the Interior, dated November 24, 1893, in the case of Andrew J. Shannon, on the ground that his was not a pensionable service, as he was not regularly mustered into the military service of the United States.

Up to the date of the decision above cited contract surgeons had been held to be pensionable under the act of June 27, 1890. Under the general law they are, by the act of March 3, 1865, put on the same footing as to pensions with assistant surgeons who were regularly mustered into the service. They endured similar hardships and were exposed to the same dangers. Claimant filed a claim under the general law for left inguinal hernia, but he is unable to furnish any proof showing service origin of his disability, and can therefore obtain no relief from the Bureau.

Claimant is 87 years old and is afflicted with hernia and disease of kidneys and bladder and other infirmities of extreme old age, and is totally incapacitated for manual labor. It also appears he is in need of a pension.

Your committee are of opinion that this case comes within the spirit, if not the strict letter, of the act of June 27, 1890, which was intended, as they believe, to include all branches of service which were then held to be pensionable under the general pension laws, and they therefore report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

GEORGE MURPHY.

The next pension business was the bill (S. 6515) granting an increase of pension to George Murphy.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Murphy, late of United States Marine Corps, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6515) granting an increase of pension to George Murphy, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3774, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6515) granting an increase of pension to George Murphy, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of George Murphy, of Spokane, Wash., late of the United States Marine Corps.

The records of the Navy Department show that George Murphy, the claimant under this bill, enlisted February 6, 1862, at Brooklyn, N. Y., as a private in the United States Marine Corps for four years, and served on several vessels of the Navy until February 6, 1866, when honorably discharged at Boston, Mass. The hospital records show that he was treated at different dates during service for constipation, strain, abscess, contusion, and rheumatism.

Claimant was originally pensioned under the general law for varicocele of left side at \$4 per month from December 19, 1882, and \$6 per month from November 30, 1887. He is now pensioned at \$12 per month under the act of June 27, 1890, for varicocele of left side and varicose veins of both legs.

On November 8, 1900, he applied for renewal and increase under the general law, but his application was rejected April 11, 1901, on the ground that he was not entitled to a rating for varicocele of left side equal to that he was receiving under the act of June 27, 1890.

It appears by the last report of the board of examining surgeons, dated February 27, 1901, that claimant is practically unable to perform manual labor by reason of his disabilities. He was rated \$4 for varicocele of left side; \$10 for varicose veins of both legs; \$2 for wound of left leg; \$8 for disease of rectum, and \$8 for well-marked nervous debility, with unsteady gait and trembling hands.

It appears that claimant is 61 years of age and entirely dependent upon his pension for support. In his sworn petition, filed with this committee, he declares that he has no property, real or personal, no money on hand, and no means of any kind upon which to live.

In view of claimant's advanced age, his faithful service of four years during the war, his extreme poverty, and inability to earn a support by his own labor by reason of physical disabilities, your committee are of opinion that he can properly be allowed the rate to which he would be entitled under the general law if all of his disabilities were established as of service origin.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JANE N. CLEMENTS.

The next pension business was the bill (S. 5973) granting a pension to Jane N. Clements.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane N. Clements, helpless and dependent daughter of Ignatius Clements, deceased, late artisan, United States Volunteers, and pay her a pension at the rate of \$12 per month.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5973) granting a pension to Jane N. Clements, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3805, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5973) granting a pension to Jane N. Clements, have examined the same and report:

The papers on file in this case show that Ignatius Clements was a member of Company A, Second Regiment Quartermaster Volunteers, commanded by Col. James M. Moore, and served at Fort Stevens, in the District of Columbia, during the threatened invasion by Confederate forces in the summer of 1864. His widow, Jane Clements, was pensioned at \$8 per month, with increase of \$2 per month for each of three minor children, by special act during the second session of the Thirty-ninth Congress, the report from the Committee on Invalid Pensions of the House of Representatives being as follows:

"The Committee on Invalid Pensions, to whom was referred the petition of Mrs. Jane Clements for a pension, respectfully report:

"That from the evidence before the committee it satisfactorily appears that the petitioner was married to and is now the widow of Ignatius Clements, deceased; that said Ignatius Clements had been for some time employed in the Quartermaster's Department in Washington City, and when by rebel invasion the city was threatened in July, 1864, said Clements belonged to and served in a company and regiment organized under the order of the Quartermaster-General and sent out to Fort Stevens in defense of the city, and that while there serving as a soldier in the rifle pits he contracted by exposure the disease of which he afterwards died, on the 1st day of August, 1864.

"The committee report herewith a bill for her benefit and recommend its passage."

Mrs. Clements continued to receive pension at the rate of \$8 per month until her death, which occurred July 18, 1879.

Jane N. Clements, the claimant under this bill, is the daughter of the soldier and was born September 28, 1858. She has never made claim at the Bureau, for the reason that her father was not regularly mustered into the military service of the United States, and existing laws therefore do not cover her case. The petition for her relief is made by her half-sister, Mary E. Cunningham, and is as follows:

"I, Mary E. Cunningham, of Washington City, D. C., now residing at 1334 Eighth street NW., being first duly sworn, depose and say:

"That I am the half-sister of Jane N. Clements, applicant for a pension as the dependent daughter of Ignatius Clements, who was employed by the Government in the District during the civil war and who was ordered out in its defense at the time of the attack on Fort Stevens.

"My own father, William Cunningham, died when I was a small child, and my mother married Ignatius Clements before the beginning of the civil war, as will appear of the records in the Pension Office in the case of the pension allowed to her as his widow by special act, certificate 92163.

"Of this marriage of my mother and Mr. Clements were born four children, of whom two survived, Jane N. Clements and Adelaide. My half-sister, Jane N. Clements, has from her birth been an invalid and unable in any way to contribute to her support. Until the age of 16 she received under the allowance of pension to her mother the \$2 a month. My mother died on or about July 18, 1879.

"I was for many years employed as clerk in the Post-Office Department, and out of my salary was glad to support my half-sister, the said Jane N. Clements, but two years since, my health failing, I was unable to continue in the Government service and now am without means or ability to earn sufficient to support my half-sister.

"I am assured by the physician whose certificate is filed herewith that her condition can never improve, and that in all probability her feebleness will increase, and her extreme nervousness, amounting to extreme melancholia, at times requires constant attendance. While in receipt of my salary I placed her at different times in Doctor Wright's sanitarium, in Garfield Hospital, Washington, D. C., and in the hospital at Wernersville, Pa., and should have given her further medical treatment at other times had I had the means to do so.

"My other sister's earnings are hardly sufficient to support herself. My half-sister's condition is such that she could not herself make this application, and I therefore make it in her name.

"I have no other interest in making it than to provide for her support. She has been afflicted from her birth, and has no property whatever.

The facts as stated are absolutely true and can be verified by disinterested parties.

"MARY E. CUNNINGHAM.

"Subscribed and sworn to before me this 1st day of December, A. D. 1904.

"[SEAL.]

HARRY H. HOLLANDER,

"Notary Public, District of Columbia."

Accompanying the bill is the affidavit of Dr. George H. Wright, who testifies that claimant was under his care from May 28, 1900, to October 29, 1900; that she was suffering from a spinal trouble which made exertion of any kind extremely painful, and also from melancholia, and that she was not then and never will be able to support herself in any way.

There is also filed with this committee the following medical affidavit:

*Affidavit of Dr. Sofie A. Nordhoff-Jung.*

I, Sofie A. Nordhoff-Jung, M. D., a regular practicing physician in the city of Washington, residing at 1229 Connecticut avenue NW., being first duly sworn, depose and say:

"That I have known Jane N. Clements, now residing at 1334 Eighth street NW., in the city of Washington, for about ten years; that she is the daughter of Ignatius Clements and his wife, Jane N. Clements, now both deceased; that since my acquaintance with Miss Clements she has never been able in any way to do anything for her own support, and has been dependent upon her sisters, both of whom are, so far as I know, without property or means of support, except their own earnings, which must be small.

Judging from the history of her case she must have been feeble from her birth, and is now subject to periods of severe mental depression, resulting from her physical condition, which can never be removed. So far as I can judge, there is no prospect of any improvement in her condition.

I am not related in any way to Miss Clements or her family, and have no interest in her claim for pension as a dependent daughter.

SOPHIE A. NORDHOFF-JUNG, M. D.

Sworn and subscribed to before me this 2d day of December, A. D. 1904.

[SEAL.]

S. OLIVIA MOORE,  
Notary Public, District of Columbia.

In view of the fact that the father of the claimant died of disease contracted from exposure while serving in the defense of the city of Washington, and the further fact that the mother of the claimant was pensioned by private act, your committee is of opinion that, in view of the present condition of the claimant, which is certainly deplorable, this bill should pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

DANIEL BOLEN.

The next pension business was the bill (S. 6415) granting an increase of pension to Daniel Bolen.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel Bolen, late of Company E, Second Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6415) granting an increase of pension to Daniel Bolen, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3461, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6415) granting an increase of pension to Daniel Bolen, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Daniel Bolen, of Viroqua, Wis., late of Company E, Second Regiment West Virginia Volunteer Cavalry.

The records of the War Department show that Daniel Bolen was a good soldier, with an honorable record of nearly four years' service, having enlisted September 12, 1861, and being discharged June 30, 1865.

The papers on file in this case show that soldier is totally blind in both eyes and in destitute circumstances, without property or means of support other than a pension of \$12 per month, which he is now receiving under the act of June 27, 1890. He has never made claim under the general law for the reason that his disability was incurred since his discharge from the Army.

Claimant's blindness and poverty are fully established by the papers on file in the Pension Bureau, including a report of the board of examining surgeons, and also by evidence filed with this committee. He is 68 years of age, and it is shown that he is a citizen of good moral character and wholly free from any vicious habits.

Soldier's long and faithful service, his advanced age and total blindness and extreme poverty warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

JOHN COBURN.

The next pension business was the bill (S. 6939) granting an increase of pension to John Coburn.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Coburn, late colonel Thirty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6939) granting an increase of pension to John Coburn, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3712, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6939) granting an increase of pension to John Coburn, have examined the same and report:

This bill proposes to increase from \$30 to \$50 per month the pension of John Coburn, of Indianapolis, Ind., late colonel Thirty-third Regiment Indiana Volunteer Infantry.

The military history of General Coburn shows that he entered the service September 18, 1861, and served until September 20, 1864, when he was honorably discharged. He was colonel of the Thirty-third Indiana Infantry. In the spring of 1862 he was given the command of a brigade and was a brigadier commander through almost the whole of the remainder of his period of service. He commanded a division temporarily and was an able and faithful officer and distinguished himself in many engagements.

During the Atlanta campaign General Coburn commanded the Second Brigade, Third Division, Twentieth Army Corps, and shortly after the battle of New Hope Church, Georgia, May 25, 1864, became disabled by reason of a hernia of left side. For this disability he was pensioned under the general law at \$30 from May 4, 1889, date of filing claim. He might have obtained arrears of pension had he applied in time, but he was self-reliant and did not apply for pension until compelled to do so, and so saved the Government several hundred dollars.

After the war General Coburn served in the National House of Representatives and was chairman of the Committee on Military Affairs, and rendered valuable services to the country and to his fellow-soldiers in many ways. He is now in his eightieth year and is very much broken physically, mentally, and financially. On account of unfortunate investments and other misfortunes he is entirely without means and unable to earn any money in any way.

It is believed that General Coburn's distinguished services to his country, his unfortunate condition, and great need will warrant a substantial increase of his pension to aid in his support for his few remaining years.

Your committee therefore report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

SUSAN E. MCCARTY.

The next pension business was the bill (S. 5638) granting a pension to Susan E. McCarty.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan E. McCarty, widow of Patrick McCarty, late of Company K, Eleventh Regiment, and Company B, Twelfth Regiment, Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$8 per month.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5638) granting a pension to Susan E. McCarty, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3744, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5638) granting a pension to Susan E. McCarty, have examined the same and report:

This bill proposes to grant a pension of \$8 per month to Susan E. McCarty, widow of Patrick McCarty, late of Company K, Eleventh Regiment, and Company B, Twelfth Regiment, Kentucky Volunteer Cavalry, who served from November 3, 1862, to August 23, 1865, and was honorably discharged.

Soldier filed and established a claim under the act of June 27, 1890, and was pensioned at \$8 per month for loss of left eye, rheumatism, and disease of lungs. He died July 6, 1901.

On July 19, 1901, the widow filed a claim under the act of June 27, 1890, which was rejected October 18, 1902, on the ground of "claimant's inability, though aided by special examination, to prove death or divorce of soldier's former wife, and hence that she is his legal widow." She has filed no claim under the general law.

From the evidence on file it appears that claimant and the soldier were duly married by ceremony according to the laws of the State of Kentucky on August 11, 1869, and that she lived with him as his wife until the time of his death, five children having been born to them during this time.

It is clearly shown that the claimant had not been previously married. It appears that soldier was previously married to one Kate Caslin. This marriage occurred August 8, 1863, at Louisville, Ky., soldier at that time being in the Army. Soldier and his first wife separated within a very short time thereafter, and the first wife's whereabouts, or what became of her, is not known to any witness in the case, and the special examiner of the Bureau vainly sought for some information in regard to her. Claimant avers, and in this she is corroborated, that she had no knowledge that the soldier had previously been married; that he had never mentioned such circumstance to her, and that it only came to her knowledge after his death. It appears from the marriage certificate on file in the soldier's claim that soldier recognized claimant, Susan E. McCarty, as his wife. The papers also show that she was recognized as his widow by the courts of Kentucky in the distribution of the small estate left by the soldier. All the evidence clearly shows that the claimant married the soldier in good faith, and that she was universally recognized in the community in which they lived as his wife, and has since been recognized as his legal widow. She is now 53 years of age, and is in dependent circumstances, all her possessions not amounting in value to as much as \$500, and she is dependent upon her daily labor for support.

In the light of all the facts your committee are of opinion that claimant in all equity and fairness should be recognized as the widow of the soldier, and that she should be allowed the pension of \$8 per month provided by the act of June 27, 1890, that being the rate she would have received had her claim been allowed at the Bureau.

The bill is therefore reported back favorably with the recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

JOHN F. WALLACE.

The next pension business was the bill (S. 6440) granting an increase of pension to John F. Wallace.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John F. Wallace, late first lieutenant Company K, Fourteenth Regiment, and second lieutenant Company G, One hundred and twenty-eighth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The report (by Mr. MIERS of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6440) granting an increase of pension to John F. Wallace, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3490, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6440) granting an increase of pension to John F. Wallace, have examined the same and report:

This bill proposes to increase from \$17 to \$36 per month the pension of John F. Wallace, late first lieutenant Company K, Fourteenth Regiment, and second lieutenant Company G, One hundred and twenty-eighth Regiment, Ohio Volunteer Infantry.

The records of the War Department show that John F. Wallace was mustered in April 25, 1861, as first lieutenant Company K, Fourteenth



Ohio Infantry, and was honorably discharged and mustered out with his company August 13, 1861. He again entered the service December 18, 1863, as first sergeant in Company G, One hundred and twenty-eighth Ohio Infantry; was promoted quartermaster-sergeant October 10, 1864, and second lieutenant May 2, 1865, and was honorably discharged and mustered out July 13, 1865.

Soldier filed and established a claim under the general law and was pensioned for disease of left leg at \$17 per month from February 8, 1866. He applied for increase March 1, 1897, alleging pensioned disability and resulting general debility, impaired circulation of blood, causing heart failure, weakness, and disease of urinary organs, but his application was rejected September 28, 1897, on the ground of no increase in disability from disease of left leg, and alleged results not accepted.

Claimant was last examined by board of surgeons at Bismarck, N. Dak., June 23, 1897, and rated \$18 for disease of left leg and varicose veins, \$6 for general debility, \$6 for disease of heart, and \$4 for disease of kidneys and urinary organs. The examining surgeons reported him as in bad condition and unable to gain a livelihood by manual labor.

Claimant is about 69 years of age. It appears that he has no property, real or personal, and that he has an aged wife dependent upon him for support, and evidence filed with this committee shows that he is unfitted for labor by reason of disease of leg, deafness, and disease of urinary organs.

In view of his faithful service of two years, his advanced age, and poverty and total disability, your committee are of opinion that an increase of his pension to \$36 per month is eminently just and proper.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

HARRIS HOWARD.

The next pension business was the bill (S. 7124) granting an increase of pension to Harris Howard.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harris Howard, late chaplain Seventh Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. SULLOWAY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 7124) granting an increase of pension to Harris Howard, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3865, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 7124) granting an increase of pension to Harris Howard, have examined the same and report:

Harris Howard was chaplain of the Seventh Regiment Rhode Island Volunteer Infantry, and served from September 4, 1862, to July 3, 1863, when he honorably resigned.

He has never made claim at the Bureau under the general law, but is now a pensioner under the act of June 27, 1890, at the rate of \$12 per month. The papers on file in the Bureau show him to be upward of 80 years of age and broken down both mentally and physically and wholly incapable of earning a livelihood. His medical examination by a board of surgeons at Saco, Me., February 17, 1892, is conclusive as to his total disability for manual labor. He was at one time an inmate of the Soldiers' Home at Togus, Me., and the certificate of the surgeon of that Home on file in the case shows he was mentally and physically unable to perform any labor and was rated as totally disabled.

The evidence of neighbors on file in the Bureau shows that claimant is in destitute circumstances. He has no money or property and no means of support except his pension.

In such cases this committee has usually recommended a substantial increase by doubling the pension, and therefore report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

GEORGE W. HADLOCK.

The next pension business was the bill (S. 6388) granting an increase of pension to George W. Hadlock.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Hadlock, late of Company I, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. BRADLEY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6388) granting an increase of pension to George W. Hadlock, have examined the same and adopt the Senate report thereon, and recommend that the bill do pass.

[Senate Report No. 3507, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6388) granting an increase of pension to George W. Hadlock, have examined the same, and report:

This bill proposes to increase from \$12 to \$30 per month the pension of George W. Hadlock, late of Company I, First Regiment New Hampshire Volunteer Heavy Artillery.

The military records show that George W. Hadlock enlisted September 2, 1864, as private in above organization and served until June 15, 1865, when honorably discharged. The medical records furnish no evidence of his treatment or disability during service.

Claimant was originally pensioned under the general law for rheumatism contracted during his military service, at \$4 per month from September 20, 1888, date of filing claim, and \$8 per month from June

1, 1892. He is now pensioned at \$12 per month under the act of June 27, 1890, for total disability for manual labor, the result of rheumatism, disease of heart, and senile debility.

Claimant is 72 years of age, and it appears by the last report of the board of examining surgeons, dated March 2, 1904, that he is wholly incapacitated for the performance of manual labor by reason of his disabilities and is compelled to use crutches in walking. His present condition is shown by the following medical affidavit, filed with this committee:

STATE OF NEW HAMPSHIRE, Grafton County, ss:

I, John M. Page, of Littleton, Grafton County, N. H., on oath depose and say that I am a practicing physician and surgeon, and have been for eight years last past; that on this 16th day of January, 1905, I made a thorough examination of George W. Hadlock, of said town, who has asked for increase of pension by special act of Congress, at present session thereof; that he is suffering from angina pectoris and rheumatism, and is unable to walk without the aid of crutch and cane, and is nearly totally disabled by reason of said diseases; that I have no interest whatever in his said application for increase of pension.

JOHN M. PAGE.

LITTLETON, N. H., January 16, 1905.

STATE OF NEW HAMPSHIRE, Grafton County, ss:

Personally appeared before me, a notary public, the said John M. Page, who made oath that the foregoing affidavit by him subscribed, is true, to the best of his knowledge and belief.

[SEAL.]

HARRY L. HEALD, Notary Public.

It is also shown by evidence filed with this committee that claimant has no property and no means of support except his small pension of \$12 per month. The fact that he was allowed the maximum rating under the act of June 27, 1890, establishes his total disability for manual labor.

Your committee are of opinion that claimant's grievous physical infirmities and extreme poverty warrant an increase of his pension to \$30 per month, and the bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

JAMES H. BRIGGS.

The next pension business was the bill (S. 6009) granting an increase of pension to James H. Briggs.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James H. Briggs, late captain Company I, Tenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. BRADLEY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6009) granting an increase of pension to James H. Briggs, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3715, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6009) granting an increase of pension to James H. Briggs, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of James H. Briggs, late captain Company I, Tenth Regiment New York Volunteer Infantry.

The military records show that James H. Briggs was enrolled and mustered into service May 2, 1861, as captain Company I, Tenth New York Infantry, and was honorably discharged May 7, 1863. The medical records show that he was wounded in face, slight, in battle of Gaines Mills, Virginia, June 27, 1862.

Claimant was pensioned under the general law for gunshot wound of face at \$5 per month from January 2, 1891, date of filing claim. He is now pensioned at \$12 per month under the act of June 27, 1890, for gunshot wound of face and disease of nervous system.

On May 24, 1899, he applied for renewal and increase on account of gunshot wound of face, alleging as a new disability of service origin shell wound of back and resulting disease of nervous system. The claim for shell wound of back and resulting disease of nervous system was rejected November 23, 1901, on the ground that "a ratable degree of disability has not been shown since date of filing claim from shell wound of spine, disease of nervous system (paralysis) not accepted as a result." The claim for renewal and increase under general law was rejected by the medical referee November 23, 1901, on the ground that there was no increase in disability from gunshot wound of face.

The board of surgeons before whom claimant was last examined at Penn Yan, N. Y., October 11, 1899, described soldier's condition in detail, and reported that he was so permanently and completely disabled from disease of nervous system as to be incapacitated for the performance of any manual labor, and rated him at \$30 per month. He was also rated \$6 for wound of face.

It appears that claimant is 60 years of age, and in poor circumstances financially, and dependent upon his pension for support. He might have obtained arrears of pension for his wound of face, but he was then self-supporting and declined to apply to the Government for aid until his necessities compelled him to do so. He had a good business until a few years ago, but through falling health he lost all of his means, and his poverty compelled him to seek shelter for a time in one of the Soldiers' Homes.

In view of his advanced age, his faithful service of two years, his total disability and poverty, your committee are of opinion that an increase of his pension to \$30 per month is eminently just and proper.

The bill is therefore reported back favorably, with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

JOHN MOULTON.

The next pension business was the bill (S. 899) granting an increase of pension to John Moulton.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Moulton, late of Company K, Third Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. BRADLEY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 899) granting an increase of pension to John Moulton, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3510, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 899) granting an increase of pension to John Moulton, have examined the same and report:

This bill proposes to increase from \$14 to \$24 per month the pension of John Moulton, late of Company K, Third Regiment Vermont Volunteer Infantry.

The records of the War Department show that John Moulton enlisted February 20, 1862, as a private in Company H, Third Vermont Infantry, to serve three years. He reenlisted as a veteran volunteer March 22, 1864, and was transferred to Company K, same regiment, in the spring of 1864, and was honorably discharged on account of physical disability, nature not stated, February 13, 1865. The records further show that he again enlisted in the Regular Army November 11, 1866, and served as private in Company H, Forty-fourth United States Infantry, until July 11, 1868, when honorably discharged.

Claimant was wounded in left hand in battle at Poolsville, Md., August 4, 1864, and was originally pensioned at \$8 per month from discharge for loss of left little, ring, and middle fingers, from gunshot wound. His pension was increased to \$12 per month from March 3, 1873, and to \$14 per month from November 15, 1887, and his claim for further increase was rejected April 8, 1903, on the ground that his rate was commensurate with the disability from pensioned cause.

Claimant also applied under general law for additional pension on account of rheumatism and malarial poisoning and gunshot wound of left index finger received at same time and place as wound of other fingers of same hand. In affidavit, filed June 20, 1896, he abandoned claim for rheumatism because of his inability to furnish evidence of service origin and continuance, and the claim for gunshot wound of left index finger was rejected April 1, 1903, on the ground of "no record at the War Department and claimant's evident inability to prove origin in service and line of duty."

It appears from the last report of the board of examining surgeons, dated July 23, 1902, that claimant is practically unable to perform manual labor by reason of his disabilities. He was then rated \$16 for injury to left hand and \$6 for rheumatism. A prior medical examination, dated March 9, 1896, reported as follows:

"In our opinion injury to left hand, compelling amputation of little, ring, and middle fingers, and furthermore injury to left index finger, has entailed for the performance of manual labor a permanent disability almost equivalent to the loss of a hand; palms of both hands are smooth; amount of work applicant can do with left hand is infinitesimal."

Claimant is 58 years of age. Medical evidence filed with this committee shows that he is suffering from chronic rheumatism and injury to left hand, rendering it almost useless. It is also shown that he has no property and no income or means of support except his pension.

The evidence shows that claimant was a good soldier, with an honorable record of nearly five years' service. It seems evident that his severe gunshot wound of left hand disables him to an extent equivalent to the loss of a hand for purposes of manual labor. He is otherwise afflicted with a chronic disease, and is poor, and your committee are of opinion that an increase of his pension to \$24 per month, as proposed in the bill, is warranted.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

SAMUEL HICE.

The next pension business was the bill (S. 6472) granting an increase of pension to Samuel Hice.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel Hice, late first lieutenant and quartermaster, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. CALDERHEAD) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6472) granting an increase of pension to Samuel Hice, have examined the same and adopt the Senate report thereon, and recommend that the bill do pass.

[Senate Report No. 3851, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6472) granting an increase of pension to Samuel Hice, have examined the same and report:

This bill proposes to increase from \$12 to \$20 per month the pension of Samuel Hice, late first lieutenant and quartermaster, Fifteenth Regiment Illinois Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted May 24, 1861, as private in Company B, Fifteenth Illinois Infantry, and to have served as such until September 4, 1861, when promoted to be first lieutenant and quartermaster of the regiment. He was regimental quartermaster until November 21, 1861, when he honorably resigned.

Claimant filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total disability from disease of rectum, general debility, and senility. He has never filed a claim under the general law.

It appears from the last report of the board of examining surgeons that claimant is wholly unable to perform manual labor by reason of his disabilities. He was last examined April 25, 1900, and rated \$10

for disease of rectum, \$4 for enlarged prostate gland, \$8 for general debility, \$4 for rheumatism, \$4 for disease of heart, \$3 for partial deafness, \$4 for impaired sight, and \$8 for double inguinal hernia. The examining surgeons further reported as follows:

"He is not able to do any kind of manual labor on account of feeble condition from age and debility; he is badly emaciated."

Claimant is 69 years of age, and it appears from evidence filed with this committee that he is in very needy circumstances financially. A few years ago he lost all of his property, and since then has been dependent upon his pension and what little he could himself earn. He has always been an active and industrious man, but his impaired health, together with increasing age, render it impossible for him to earn a living.

An increase of soldier's pension to \$20 per month is recommended on the ground of his present condition. It is not shown to be due to his service, which was comparatively short, and no higher rate is warranted.

The bill is therefore reported back favorably, with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

JAMES NOWELL.

The next pension business was the bill (S. 5636) granting an increase of pension to James Nowell.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Nowell, late of Companies A and H, Third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5636) granting an increase of pension to James Nowell, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3448, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5636) granting an increase of pension to James Nowell, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of James Nowell, of Williamsport, Md., late of Companies A and H, Third Regiment Ohio Volunteer Infantry.

Claimant enlisted June 13, 1861, as private in above organization, and was honorably discharged June 21, 1864. The hospital records furnish no evidence in his case of treatment or disability during service.

He filed a claim under the act of June 27, 1890, established it, and is now in receipt of a pension under said act at the rate of \$12 per month for disease of rectum and general debility. He also filed a claim under the general law February 10, 1891, alleging disease of rectum as incurred in the service, but his claim was rejected May 10, 1904, on the ground of no record or other evidence of service origin. This action was correct, as there is no evidence on file to show incurrence of disability in service, and but two neighbors only to testify to existence of piles since about 1875.

It appears, however, that claimant is 79 years old, and that he suffers from disease of rectum, hernia, and the infirmities of old age, and is not able to do any kind of manual labor. It further appears that he is in very needy circumstances and without any means of support except his pension of \$12 per month.

There are numerous precedents for increasing the pension of the aged, destitute, and totally disabled veterans of the war, in view of which your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

THOMAS RITCHIE.

The next pension business was the bill (S. 6015) granting an increase of pension to Thomas Ritchie.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Ritchie, late of Company H, Sixteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6015) granting an increase of pension to Thomas Ritchie, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3919, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6015) granting an increase of pension to Thomas Ritchie, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Thomas Ritchie, late of Company H, Sixteenth Regiment New York Volunteer Heavy Artillery, who served from January 9, 1864, to August 21, 1865, and was honorably discharged.

Soldier is now receiving a pension under the act of June 27, 1890, at the rate of \$12 per month for rheumatism and disease of nervous system. He has never made claim under the general law.

The board of surgeons before whom he was last examined, at Gaylord, Mich., described his condition as follows:

"The whole of left side is partially paralyzed, both of sensation and motion; hand is useless to use or to work; left leg is 2 inches less in circumference in calf of leg. The muscles are very flabby, and he is not able to get around much; he is evidently in very bad shape. He is very corpulent; brain seems to be affected; forgets to answer questions, evidencing softening of brain in a slight degree; unable to do any kind of manual labor; arm and leg very weak."



Claimant is 65 years of age and in destitute circumstances, being dependent upon his pension for support.

In view of his faithful service, his advanced age, total disability, and poverty, your committee are of opinion that an increase of his pension to \$30 per month may very properly be provided to aid in his support. The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JAMES CAMPBELL.

The next pension business was the bill (S. 6432) granting an increase of pension to James Campbell.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Campbell, late of Company K, Eighty-fifth Regiment, and Company K, One hundred and eighty-eighth Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6432) granting an increase of pension to James Campbell, have examined the same, and adopt the Senate report thereon, and recommend that the bill do pass.

[Senate Report No. 3450, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6432) granting an increase of pension to James Campbell, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of James Campbell, late of Company K, Eighty-fifth Regiment, and Company K, One hundred and eighty-eighth Regiment, Pennsylvania Volunteer Infantry.

Claimant is shown by the military records to have enlisted January 5, 1864, as a private in Company K, Eighty-fifth Pennsylvania Infantry; to have been transferred to Company K, One hundred and eighty-eighth Pennsylvania Infantry, July 8, 1865, and to have been honorably discharged and mustered out December 14, 1865. He is shown by the hospital records to have been treated during service for diarrhea.

Claimant filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for loss of right leg and injury to hands incurred in a railroad accident on May 5, 1891, while employed in the yards of the Illinois Central Railroad at Chicago, Ill., and was due to no fault on his part. He also filed a claim under the general law April 13, 1891, alleging that about the spring of 1864 he contracted rheumatism, piles, and disease of stomach, but his claim was rejected September 17, 1904, on the ground of no record or other satisfactory evidence of service.

When claimant was last examined, May 19, 1899, by board of surgeons at Chicago, Ill., he was not rated for rheumatism, piles, or disease of stomach, so if he had established the service origin of these disabilities he would have been allowed no pension therefor under the general law. It appears from the report of this examination, however, that he has suffered amputation of right leg 5 inches below knee, and also has injury of both hands, with amputation of portion of thumb of right hand and amputation of portion of middle and ring fingers of left hand, his disability from injury of hands being rated at \$8 per month.

Claimant is 58 years of age. He is in very destitute circumstances, without property or resources except his small pension, and is unable by reason of his crippled condition to earn a support by manual labor.

There are numerous precedents for special legislation in cases of this character, in view of which your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ELLEN SCOTT.

The next pension business was the bill (S. 6484) granting an increase of pension to Ellen Scott.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen Scott, widow of Henry Scott, late of Company A, Second Regiment Eastern Shore Maryland Volunteer Infantry, and Company K, Eleventh Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6484) granting an increase of pension to Ellen Scott, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3825, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6484) granting an increase of pension to Ellen Scott, have examined the same and report:

This bill proposes to increase from \$8 to \$12 per month the pension of Ellen Scott, widow of Henry Scott, late of Company A, Second Regiment Eastern Shore Maryland Volunteer Infantry, and Company K, Eleventh Regiment Maryland Volunteer Infantry.

The military records show that Henry Scott, the soldier named in this bill, enlisted February 10, 1864, as a private in Company A, Second Eastern Shore Maryland Volunteer Infantry; that he was transferred in January or February, 1865, to Company K, Eleventh Maryland Volunteer Infantry, and that he was honorably discharged and mustered out with his company June 15, 1865. The hospital records show that he was treated from April 27 to May 3, 1865, for jaundice.

Soldier filed and established a claim under the general law on account of gunshot wound of back of neck received in battle at Berryville, Va., September 3, 1864, and was pensioned for such wound at \$2

per month from July 13, 1882, date of filing claim, which rate was increased to \$4 per month from March 27, 1889, and to \$6 per month from June 6, 1889. He also filed a claim under the act of June 27, 1890, and was pensioned at \$12 per month under said act for gunshot wound of back of neck, naso-pharyngeal catarrh, and total deafness of left ear. He died of disease of bowels September 16, 1891.

Mrs. Scott filed a claim under the act of June 27, 1890, established it, and is pensioned under said act at \$8 per month. On October 17, 1891, she filed a claim under the general law, which was rejected March 22, 1901, on the ground that her husband's death was not proved to have resulted from his military service. Evidence was subsequently filed with a view to reopening the claim, but the same was held to be not sufficient to warrant any change of action. This rejection was affirmed on appeal August 26, 1904, by Assistant Secretary M. W. Miller.

The salient features of this case are as follows: Soldier never applied for pension for any bowel trouble, neither had he ever alleged such a disability. He was first medically examined January 10, 1883, and was subjected to seven medical examinations, the certificates of which fail to show any disability from chronic diarrhea or dysentery, or any other disease of the bowels.

Dr. William H. Gannon testified in affidavit filed March 1, 1892, that the cause of soldier's death was perforation of the intestine, attributable to enteric fever. This diagnosis is confirmed by other medical testimony in the case.

An attempt has been made to show that the fatal affection of the bowels originated in the soldier's military service, and there is evidence to the effect that chronic diarrhea and dysentery existed in service; but that these troubles existed continuously after discharge and finally resulted in enteric fever, which caused the soldier's death, is not established, and the rejection of the general-law claim seems to have been correct.

Claimant, however, is a war widow, having been married to soldier August 23, 1863. She is about 54 years of age, and the evidence on file shows that she possesses no property, and no income aside from her pension, and she is dependent upon her daily labor and the assistance of others for support. An increase of her pension to the general-law rate of \$12 per month is recommended, that being the rate she would have received had her claim under the general law been allowed at the Bureau.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

GEORGE W. MOYER.

The next pension business was the bill (S. 6562) granting an increase of pension to George W. Moyer.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Moyer, late of Company A, One hundred and thirty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6562) granting an increase of pension to George W. Moyer, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3449, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6562) granting an increase of pension to George W. Moyer, have examined the same and report:

This bill proposes to increase from \$12 to \$20 per month the pension of George W. Moyer, late of Company A, One hundred and thirty-first Regiment Pennsylvania Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted July 27, 1862, as private in Company A, One hundred and thirty-first Pennsylvania Infantry, and to have been honorably discharged October 24, 1862, upon surgeon's certificate of disability in consequence of "rheumatism, complicated with bronchitis, disabling him from duty, with but little chance of recovery amid the fatigues of camp."

Soldier filed and established a claim under the general law and was pensioned for rheumatism of service origin at \$2 per month from April 16, 1884, which rate was increased to \$4 per month from December 5, 1888, to \$6 per month from March 2, 1895, and to \$12 per month from November 11, 1903, for rheumatism and resulting disease of heart. In his last claim for increase, filed August 12, 1903, he alleged glaucoma and disease of arteries as results of pensioned causes, but the medical referee of the Bureau declined to accept them as results.

When claimant was last examined by surgeons for the Bureau, November 11, 1903, he was rated \$6 for chronic gastritis, \$10 for disease of heart, \$10 for chronic articular rheumatism, \$17 for malignant tumor of abdomen, and \$10 for glaucoma, both eyes.

The evidence of Dr. J. Hunter Miles, filed with this committee, shows that claimant is now almost blind from atrophy of optic nerves; that the vision in right eye is entirely gone and with left eye can see only large objects, not being able to read at all or see small objects, and that the disease is progressive.

Claimant is 66 years old and needy. It is but a question of a short time when he will be totally blind. His service was comparatively short, but your committee are of opinion that his deplorable condition and poverty warrant a reasonable increase of his pension.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOHN VAN LEAR.

The next pension business was the bill (S. 6571) granting an increase of pension to John Van Lear.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John

Van Lear, late captain and commissary of subsistence, United States Volunteers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6571) granting an increase of pension to John Van Lear, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3441, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6571) granting an increase of pension to John Van Lear, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of John Van Lear, late captain and commissary of subsistence, United States Volunteers.

It appears from the records of the War Department that John Van Lear was appointed captain and commissary of subsistence of volunteers April 20, 1864; that he accepted the appointment May 9, 1864, and that he was honorably discharged, to take effect July 31, 1866, his services being no longer required. The hospital records furnish no evidence of disability or treatment during his service.

Captain Van Lear has never filed a claim at the Bureau under the general law. He filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total disability for manual labor, the result of the infirmities of advanced age.

The board of examining surgeons before whom claimant was examined at Hancock, Md., December 13, 1902, report him as pale, weak, and enemic, a sufferer from nervous dyspepsia, general neurasthenia, piles, diabetes mellitus, and loss of sight of right eye, and totally incapacitated for the performance of manual labor.

Claimant is 72 years of age. It appears that he is very poor financially, and practically dependent upon his pension for support.

In view of his advanced age, his faithful service of two years, his poverty and inability to earn a support by his own manual labor, your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JUSTUS A. CHAFEE.

The next pension business was the bill (S. 6010) granting an increase of pension to Justus A. Chafee.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Justus A. Chafee, late of Company A, Third Regiment New York Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. BRADLEY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6010) granting an increase of pension to Justus A. Chafee, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3716, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6010) granting an increase of pension to Justus A. Chafee, have examined the same and report:

The bill proposes to increase from \$12 to \$24 per month the pension of Justus A. Chafee, late of Company A, Third Regiment New York Volunteer Light Artillery, who served from August 29, 1864, to July 3, 1865, and was honorably discharged.

Claimant filed and established a claim under the general law for injury to testicles and resulting hydrocele and varicocele of service origin, and was pensioned at \$4 per month from discharge, which was increased to \$8 per month from August 19, 1885, and to \$12 per month from May 6, 1903. He also filed a claim under the act of June 27, 1890, and was pensioned under said act from April 6, 1903, at \$12 per month for total disability, resulting from injury to testicles and resulting hydrocele and varicocele, right inguinal hernia, rheumatism, and senile debility. His pension under the act of June 27, 1890, ended May 6, 1903, with the allowance of his pension of \$12 per month under the general law.

It appears from the last report of the board of examining surgeons, dated May 6, 1903, that claimant is practically unable to perform manual labor by reason of his disabilities. He was then rated \$8 for hydrocele, \$4 for varicocele, \$4 for rheumatism, \$10 for hernia, \$4 for senile debility, and \$6 for defective vision.

Claimant is 71 years of age. The papers on file in his claim at the Bureau show that he is a poor man and in very needy circumstances.

In such cases this committee have usually granted a substantial increase by doubling the pension, and this is a case where justice demands similar action. The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

MARY C. LEEFE.

The next pension business was the bill (S. 6804) granting an increase of pension to Mary C. Leefe.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary C. Leefe, widow of John G. Leefe, late captain Company B, One hundred and sixty-second Regiment New York Volunteer Infantry, and Lieutenant-colonel Thirtieth Regiment United States Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6804) granting an increase of pension to Mary C. Leefe, have ex-

amined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3920, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6804) granting a pension to Mary C. Leefe, have examined the same and report:

This bill proposes to increase from \$8 to \$30 per month the pension of Mary C. Leefe, widow of John G. Leefe, late captain Company B, One hundred and sixty-second Regiment New York Volunteer Infantry, and Lieutenant-colonel Thirtieth Regiment United States Infantry.

The military records show that John G. Leefe entered the service August 30, 1862, as first lieutenant with Company B, One hundred and sixty-second New York Infantry. He was promoted captain same company and regiment March 28, 1864, and was honorably discharged and mustered out August 1, 1865. He was appointed captain and assistant adjutant-general United States Volunteers June 15, 1865, to rank from same date, and accepted the appointment August 2, 1865, and served as such until November 22, 1865, when honorably mustered out.

Colonel Leefe's service in the Regular Army began September 7, 1866, when he was appointed second lieutenant Nineteenth United States Infantry. He was promoted through the various grades to the rank of lieutenant-colonel Thirtieth Infantry, to which grade he was commissioned from March 25, 1901. He was retired from active service September 22, 1901, by operation of law, being then 64 years of age.

Colonel Leefe served all during the war of the rebellion and subsequently in the various Indian campaigns in the West. He also served in the war with Spain and in the Philippines, being almost continuously in the Philippine Islands during the last four years of his active service. He was brevetted major of volunteers for services in the battle of Opequan, Virginia, September 19, 1864, and lieutenant-colonel of volunteers for services in the battle of Fishers Hill, Virginia.

Colonel Leefe died of pneumonia in New York City June 9, 1903, and Mrs. Leefe is now receiving a pension under the act of June 27, 1890, at the rate of \$8 per month. She has never filed a claim at the Bureau under the general law for the reason that she can not prove that her distinguished husband's death was directly attributable to his active service.

It appears, however, that during his long and arduous service Colonel Leefe contracted catarrh of the air passages, which so undermined his constitution and general health that he fell an easy victim to an attack of pneumonia contracted shortly before his death.

Mrs. Leefe was married to the officer and is now about 54 years of age. She was left with but little means of any kind. She has no real estate and no means of support other than her small pension of \$8 per month and the small balance amounting to about \$1,000 of her husband's life insurance money, he having left no other estate. Her little capital is rapidly diminishing and she makes this appeal to Congress for relief.

Your committee are of opinion that the soldier's long-continued and distinguished services and the necessities of his widow warrant the pension of \$30 per month proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

FRANCIS W. LITTLE.

The next pension business was the bill (S. 6943) granting an increase of pension to Francis W. Little.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis W. Little, late of Company A, Second Regiment United States Volunteer Sharpshooters, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HUNTER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6943) granting an increase of pension to Francis W. Little, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3564, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6943) granting an increase of pension to Francis W. Little, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Francis W. Little, late of Company A, Second Regiment United States Volunteer Sharpshooters.

The records of the War Department show that Francis W. Little enlisted September 24, 1861, as private in Company A, Second Regiment United States Sharpshooters, and was honorably discharged November 25, 1862, upon surgeon's certificate of disability in consequence of "an injury received by a collision of cars near Thoroughfare Gap, causing incontinence of urine, with general irritability of the liver and pleura." The hospital records show that soldier was treated from September 25, 1862, to October 21, 1862, for debility.

Soldier was originally pensioned under the general law for injury to back and resulting disease of kidneys at \$4 per month from discharge and \$6 per month from April 20, 1881, which was increased to \$8 per month from June 24, 1891. He is now pensioned under the act of June 27, 1890, at \$12 per month for total inability to earn a support by manual labor, the result of lumbago, dyspepsia, aneurism of the abdominal aorta, and senile debility.

The board of surgeons before whom claimant was last examined, December 7, 1904, at Fargo, N. Dak., described his condition as follows:

Aneurism of abdominal aorta: On account of gas distension of abdomen it is difficult to map out contents plainly. We are, however, unable to diagnose aortic aneurism. Aortic pulsation is evident at point of crossing spine, but no tumor can be mapped out to-day by us.

Senile debility: Poorly nourished, skin dry and harsh, tongue coated, abdomen distended, arcus senilis and atheroma of temporal and radial arteries present; seems weak. Prostate gland is much hypertrophied; it is the evident cause of his irritable bladder; makes water three or four times during night, and often it escapes involuntarily, during the day.

A prior medical examination dated June 30, 1897, rated him \$4 for lumbago, \$6 for dyspepsia, \$2 for loss of part of left index finger, and



\$12 for abdominal aneurism, and also reported considerable general debility due to age.

It appears that claimant is now 73 years of age and is entirely without means of support other than his pension of \$12 per month. It further appears from the papers filed with this committee that he is wholly unable to work. The fact that he was allowed the maximum rate under the act of June 27, 1890, establishes his total disability for manual labor.

Your committee are of opinion that claimant's advanced age, extreme poverty, and total disability warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

GEORGE W. ENYART.

The next pension business was the bill (S. 6940) granting an increase of pension to George W. Enyart.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Enyart, late of Company I, Fifty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The report (by Mr. HUNTER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6940) granting an increase of pension to George W. Enyart, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3821, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6940) granting an increase of pension to George W. Enyart, have examined the same and report:

This bill proposes to increase from \$12 to \$20 per month the pension of George W. Enyart, late of Company I, Fifty-fifth Regiment Kentucky Volunteer Infantry, who served from March 28, 1865, to September 19, 1865, and was honorably discharged.

Soldier is now pensioned under the act of June 27, 1890, at \$12 per month for rheumatism and disease of eyes. He has never made claim under the general law for the reason that he can not prove that his disabilities are the result of his military service.

It appears from the evidence on file in his claim, including the reports of medical examinations, that he is practically unable to perform manual labor by reason of his disabilities. His last medical examination by an expert oculist for the Bureau, dated April 19, 1892, shows him to be half blind and unfit for any occupation by which he might earn a livelihood. The evidence of several of his neighbors on file shows that he has not performed manual labor for several years.

Claimant is about 61 years of age. The papers on file at the Bureau show that he is practically dependent upon his pension for support. He has a little land worth probably a few hundred dollars, but his only income is his pension, and he has a family dependent upon him.

An increase of his pension to \$20 per month is recommended on the ground of his present condition. It is not shown to be due to his service, which was comparatively short, and no higher rate is warranted.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

PATRICK W. KENNEDY.

The next pension business was the bill (S. 6938) granting an increase of pension to Patrick W. Kennedy.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Patrick W. Kennedy, late of Company I, Ninth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HUNTER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6938) granting an increase of pension to Patrick W. Kennedy, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3453, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6938) granting an increase of pension to Patrick W. Kennedy, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Patrick W. Kennedy, late of Company I, Ninth Regiment Minnesota Volunteer Infantry.

The records of the War Department show that Patrick W. Kennedy enlisted August 15, 1862, as a private in Company I, Ninth Minnesota Infantry, and was honorably discharged on account of physical disability January 19, 1865. The hospital records show that he was treated during service for diarrhea and pleuritis.

Soldier filed and established a claim under the general law for rheumatism and resulting disease of heart of service origin, and was originally pensioned at \$4 per month from discharge and \$6 per month from November 28, 1888, which was increased to \$8 per month from September 9, 1891, and to \$12 per month from June 5, 1895. His last claim for increase, filed April 18, 1903, was rejected October 19, 1904.

The board of surgeons before whom claimant was last examined, at Detroit City, Minn., September 7, 1904, described his conditions as follows:

"Applicant is medium height, corpulent man; complains of constant rheumatic pain in spine, and on either side for 2 inches from seventh cervical to fifth dorsal. Pain at times is very severe. Examination shows slight tenderness on motion. No other evidence of rheumatism in muscles, tendons, or joints. Chest measures at rest, 41; inspiration, 43; expiration, 40. Heart dullness extends from left border of ster-

num 2½ inches to right, and from fourth to seventh interspace. Apex beat felt but not seen 2 inches to the right of left nipple; sounds are decreased in intensity. No murmurs. Rhythm normal. After exercise heart-beat action becomes somewhat irregular; there is some palpitation and dyspnoea. General aspect of patient at rest shows labored breathing, and this is much increased by exercise. Pulse is full and fast and slightly irregular after exercise. There is some fatty trouble with heart, probably both degeneration and fatty deposit about heart."

It appears that claimant is 64 years old and is broken down by disease and the infirmities of age generally, and is wholly unable to do manual labor. It also appears that he is poor and without property and entirely dependent upon his pension for support. He was a good soldier and served faithfully until discharged by reason of disability incurred in service.

Your committee are of opinion that he is worthy of an increase of pension, and therefore report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOSEPH WOOD, ALIAS JOSEPH RULE.

The next pension business was the bill (S. 6898) granting an increase of pension to Joseph Wood, alias Joseph Rule.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Wood, alias Joseph Rule, late of Company B, Fiftieth Regiment New York Volunteer Engineers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HUNTER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6898) granting an increase of pension to Joseph Wood, alias Joseph Rule, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3459, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6898) granting an increase of pension to Joseph Wood, alias Joseph Rule, have examined the same and report:

The bill proposes to increase from \$10 to \$30 per month the pension of Joseph Wood, alias Joseph Rule, late of Company B, Fiftieth Regiment New York Volunteer Engineers.

Claimant is shown by the records of the War Department to have enlisted August 10, 1861, as a private in above organization; to have reenlisted December 10, 1863, as a veteran volunteer, and to have been honorably discharged June 13, 1865, after nearly four years of continuous service. The hospital records furnish no evidence of soldier's disability or treatment during service.

Soldier filed and established a claim under the general law, and was originally pensioned at \$6 per month from January 25, 1888, for rheumatism, contracted in service, and his pension was increased to \$8 per month from November 10, 1897, and to \$10 per month from May 17, 1899. His last claim for increase, filed September 24, 1900, was rejected November 22, 1901.

Soldier also claimed under the general law for diarrhea, piles, disease of heart, deafness, and disease of throat and lungs, as incurred in service, but his claim for such disabilities was rejected on the ground of no record or other satisfactory evidence of service origin and existence at discharge.

Claimant is 66 years of age. It appears from the report of the board of examining surgeons at Bismarck, N. Dak., dated March 6, 1901, that he is practically unable to perform manual labor by reason of his disabilities. He was rated \$4 for rheumatism and heart disease, \$4 for disease of throat, \$10 for disease of lungs, \$20 for deafness, \$4 for piles, and \$6 for catarrh.

It also appears that claimant has no means and is in actual need. In view of his long and faithful service, his advanced age and poverty, and total inability to earn a support by his own manual labor by reason of physical disabilities, your committee are of opinion that he can be given the rate to which he would be entitled under the general law if all of his disabilities were established as of service origin.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JAMES FLANAGAN.

The next pension business was the bill (S. 6897) granting an increase of pension to James Flanagan.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Flanagan, late of Company E, Eleventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HUNTER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6897) granting an increase of pension to James Flanagan, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3457, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6897) granting an increase of pension to James Flanagan, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of James Flanagan, of Mandan, N. Dak., late of Company E, Eleventh Regiment Ohio Volunteer Cavalry.

Claimant is shown by the records of the War Department to have enlisted July 22, 1863, in Company E, Eleventh Ohio Cavalry, and to have served as a private and as a noncommissioned officer until July 14, 1866, when honorably discharged. He again enlisted November 17, 1871, as private in Troop D, Seventh United States Cavalry, and re-

enlisted November 15, 1876, and was honorably discharged as sergeant November 14, 1881.

He filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total inability to earn a support by manual labor, resulting from disease of digestive organs and general debility. He has never made claim under the general law.

The board of surgeons before whom claimant was last examined, at Lansing, Kans., November 1, 1899, reported him as wholly unable to perform manual labor, and rated him \$14 for disease of digestive organs, \$14 for rheumatism, \$16 for disease of heart, and \$17 for general debility.

Claimant is 67 years of age. The papers on file in the Pension Bureau show that he is in very destitute circumstances, without property, and entirely dependent upon his pension of \$12 per month. It also appears that he has an invalid wife and daughter dependent upon him for support.

In view of claimant's advanced age, his long and faithful service, his extreme poverty and inability to earn a support by reason of physical disabilities, your committee believe that he can properly be allowed the rating to which he would be entitled under the general law if his disabilities were established as of service origin.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### WILLIAM GLEASON.

The next pension business was the bill (S. 6896) granting an increase of pension to William Gleason.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Gleason, late of Company I, Twentieth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HUNTER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6896) granting an increase of pension to William Gleason, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3458, Fifty-eighth Congress, third session.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 6896) granting an increase of pension to William Gleason, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of William Gleason, of Lisbon, N. Dak., late of Company I, Twentieth Regiment Michigan Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted August 9, 1862, in Company I, Twentieth Michigan Infantry, and to have served as a private and a noncommissioned officer until May 30, 1865, when honorably discharged.

He was wounded in left hip in battle of Spotsylvania Court House, Va., May 12, 1864, and he was pensioned under the general law for said wound at \$4 per month from discharge, which was increased to \$6 per month from May 3, 1876; to \$8 per month from June 25, 1877, and to \$12 per month from June 10, 1885. His last claim for increase, filed May 28, 1892, was rejected August 27, 1892.

Claimant is 75 years old. It appears from the papers in his case that he suffers from gunshot wound of left hip, chronic bronchitis, deafness, and other infirmities of age, and is wholly disabled for the performance of manual labor. It also appears that he is in very indigent circumstances, without property or resources of any kind, and is entirely dependent upon his pension for support. The fact that he is an inmate of the Soldiers' Home at Lisbon, N. Dak., establishes his poverty.

It further appears that claimant, while in the quartermaster's department of the Army, rendered good service in the Mexican war. He participated in the battles of Palo Alto and Resaca de la Palma, and also in the storming of Monterey, where he was severely injured.

There are numerous precedents for increasing the pensions of the aged, destitute, and infirm veterans of the war, and the foregoing facts bring this case fully within such precedents.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### ALBERT S. HOPSON.

The next pension business was the bill (S. 6676) granting an increase of pension to Albert S. Hopson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert S. Hopson, late of Company D, Fourth Regiment United States Infantry, war with Mexico, and captain Company C, Tenth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HUNTER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6676) granting an increase of pension to Albert S. Hopson, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3479, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6676) granting an increase of pension to Albert S. Hopson, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of the Mexican war and served as a private in Company D, Fourth United States Infantry, war with Mexico, and captain Company C, Tenth Regiment Minnesota Volunteer Infantry.

The military records show that Albert S. Hopson was a soldier in the Mexican war and served as a private in Company D, Fourth United States Infantry, from January 24, 1848, to July 18, 1848, when honorably discharged. He also served during the war of the rebellion for over two years, having been mustered in August 15, 1862, as first lieutenant Company C, Tenth Minnesota Infantry, and being honorably discharged with the rank of captain September 26, 1864.

Captain Hopson was originally pensioned at \$8 per month under the act of January 29, 1887, on account of his service in the Mexican war. The records further show that he was allowed bounty land warrant for 160 acres on account of this service. He is now pensioned at \$12 per month under the act of June 27, 1890, for senile debility, on account of his volunteer service during the war of the rebellion.

Claimant was born August 4, 1823, and is consequently over 81 years of age. It appears that he is in very feeble health, broken down by disease and the infirmities of old age, and totally incapacitated for the performance of manual labor. It further appears that he is poor financially, dependent upon his small pension, and greatly in need of relief.

There are numerous precedents for increasing the pensions of the aged, totally disabled, and destitute veterans of the Mexican war and the late war, in view of which your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### HALEY S. CURRY.

The next pension business was the bill (S. 6675) granting an increase of pension to Halsey S. Curry.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Halsey S. Curry, late of Company I, Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HUNTER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6675) granting an increase of pension to Halsey S. Curry, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3456, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6675) granting an increase of pension to Halsey S. Curry, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Halsey S. Curry, late of Company I, Seventh Regiment Wisconsin Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted August 20, 1861, in Company I, Seventh Wisconsin Infantry, and to have served as a private and as a noncommissioned officer until April 1, 1865, when transferred to the Veteran Reserve Corps by reason of gunshot wound of left hand received in battle before Petersburg, Va., June 30, 1864. He was transferred to One hundred and thirty-seventh Company, Second Battalion Veteran Reserve Corps, April 1, 1865, and was honorably discharged and mustered out July 27, 1865, thus showing four years of continuous service.

Soldier filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total disability for manual labor resulting from gunshot wound of left hand, ventral hernia, and disease of rectum, and senile debility. He was originally pensioned under the general law for gunshot wound of the left hand at \$6 per month from discharge, and his last claim for increase, filed May 29, 1899, was rejected February 8, 1899.

It appears by the last report of the board of examining surgeons, dated November 6, 1901, that claimant is afflicted with gunshot wound of left hand, ventral hernia, disease of rectum, goitre, weak heart, and senile debility, and is wholly incapacitated for the performance of manual labor. A prior examination, dated November 2, 1898, rated him \$17 for ventral hernia, \$8 for piles, and \$8 for gunshot wound of left hand. The fact that claimant in 1902 was allowed the maximum rating under the act of June 27, 1890, establishes his total disability for manual labor.

Claimant is 63 years of age. It appears that he is in very needy circumstances financially, and is dependent upon his small pension for support. A few years ago he had the misfortune to lose his small home by fire.

In view of his advanced age, his long and faithful service, his poverty, and inability to earn a support by his own manual labor, your committee are of opinion that an increase of his pension to \$30 per month, as proposed in the bill, is eminently just and proper.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### EDWIN R. KENNEDY.

The next pension business was the bill (S. 6661) granting an increase of pension to Edwin R. Kennedy.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin R. Kennedy, late of Company H, Ninth Regiment Indiana Volunteer Infantry, and Company D, First Regiment United States Veteran Volunteer Engineers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HUNTER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6661) granting an increase of pension to Edwin R. Kennedy, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.



[Senate Report No. 3488, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6661) granting a pension to Edwin R. Kennedy, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Edwin R. Kennedy, of Ludden, N. Dak., late of Company H, Ninth Regiment Indiana Volunteer Infantry, and Company D, First Regiment United States Veteran Volunteer Engineers.

Claimant enlisted April 20, 1861, at the first call for troops, and served as corporal in Company H, Ninth Indiana Infantry, until July 21, 1861, when honorably discharged and mustered out with his company. He reenlisted August 14, 1861, as sergeant in same company and regiment and was transferred to Company D, First United States Veteran Volunteer Engineers, July 30, 1864, and was honorably discharged September 26, 1865. The hospital records furnish no evidence of his disability or treatment during service.

Claimant was originally pensioned under the general law at \$8 per month from February 26, 1889, date of filing claim, for rheumatism, diarrhea, and piles. He is now pensioned under the act of June 27, 1890, for rheumatism and resulting disease of heart, piles, chronic diarrhea, and resulting dyspepsia, at \$12 per month.

It now appears by the last report of the board of examining surgeons that claimant is practically unable to perform manual labor by reason of his disabilities. He is 72 years old, broken down by disease and the infirmities of age, and wholly incapacitated for earning a support. He is a poor man financially, all of his property being encumbered, and his equity therein being of little value.

The records show that claimant was a good soldier with an honorable record of over four years' service. His advanced age, total disability, and poverty warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

AMANDA H. BURROWS.

The next pension business was the bill (S. 7096) granting an increase of pension to Amanda H. Burrows.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda H. Burrows, widow of John J. Burrows, late third lieutenant Company B, First Battalion District of Columbia Militia Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 7096) granting an increase of pension to Amanda H. Burrows, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3808, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 7096) granting an increase of pension to Amanda H. Burrows, have examined the same and report:

Amanda H. Burrows, of Washington, D. C., is the widow of John J. Burrows, who was third lieutenant Company B, First Battalion, District of Columbia Militia Infantry, and who served from April 16, 1861, to July 17, 1861, when honorably discharged.

Soldier never applied for pension under the general law. He filed a claim under the act of June 27, 1890, and was pensioned under said act at \$12 per month for rheumatism, catarrh, and locomotor ataxia. He died November 16, 1903, the cause of his death being arteriosclerosis and asthenia.

Claimant has never filed a claim under the general law, as she is unable to prove that soldier's death was the result of his military service. She filed a claim under the act of June 27, 1890, established it, and is pensioned under said act at \$8 per month.

Mrs. Burrows was married to the soldier January 13, 1863, and is now 63 years of age. It is shown by the evidence in her claim that she has absolutely no property, real or personal, and no means of support aside from her small pension of \$8 per month, and there is no one upon whom she can rely for assistance.

An increase of her pension to \$12 per month is recommended to aid in her support, and the bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOHN SEBRY.

The next pension business was the bill (S. 6441) granting an increase of pension to John Sebry.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Sebry, late of Company K, Tenth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6441) granting an increase of pension to John Sebry, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3454, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6441) granting an increase of pension to John Sebry, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of John Sebry, late of Company K, Tenth Regiment Minnesota Volunteer Infantry, who served from September 3, 1862, to August 19, 1865, and was honorably discharged.

Claimant filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per

month for total inability to earn a support by manual labor, resulting from injury of left arm, disease of eyes, and general debility. He was originally pensioned under the general law for nervous prostration, result of sunstroke and rheumatism incurred during his service, at \$8 per month from May 24, 1887, and \$10 per month from July 2, 1890. His claim for increase under the general law, filed October 14, 1891, was rejected August 11, 1899, on the ground that \$10 per month was an adequate rating for the disabilities of service origin.

It appears from the last report of the board of examining surgeons, dated Bismarck, N. Dak., July 1, 1903, that claimant is totally disabled for the performance of manual labor by reason of his physical disabilities. The examining surgeons report as follows:

"Claimant is fairly well nourished, but muscles are flabby and soft; he has but few teeth and those are in poor condition; his gait is unsteady and he walks stooped over; in the opinion of this board the claimant is so disabled from injury to left arm and disease of eyes as to be entirely unable to earn a support by manual labor."

It appears that claimant is 62 years of age, and that he is in very poor circumstances financially, his income aside from his pension being but \$30 annually. That he is totally disabled for manual labor is evidenced by the fact that in 1904 he was granted the maximum rate under the act of June 27, 1890. It appears that he received a severe injury and fracture of left arm since the war, and the arm is now useless for the performance of manual labor.

In view of soldier's faithful and honorable service for three years, his extreme poverty, and total inability to earn a support by his own manual labor by reason of physical disabilities, your committee are of opinion that an increase of pension to \$30 per month, as proposed in the bill, may be very properly provided in his case.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

WILLIAM DAWSON.

The next pension business was the bill (S. 7093) granting an increase of pension to William Dawson.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Dawson, late of Company C, Sixteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 7093) granting an increase of pension to William Dawson, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3806, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 7093) granting an increase of pension to William Dawson, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of William Dawson, late of Company C, Sixteenth Regiment Kentucky Volunteer Infantry, who served from August 29, 1861, to July 28, 1865, and was honorably discharged.

Soldier filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for left varicocoele, rheumatism, disease of heart, and injury of left wrist. He has never filed a claim under the general law.

It appears from the evidence on file in his case, including the report of a board of examining surgeons, dated April 29, 1891, that claimant is practically unable to perform manual labor by reason of his disabilities. His medical examination shows him to be afflicted with rheumatism, heart disease, injury of left wrist, and varicocoele, and disease of rectum.

The evidence of Dr. W. S. Yazell filed with this committee shows that claimant is suffering from heart disease, almost totally unfitting him for the performance of any manual labor, and that he is also afflicted with kidney trouble and rheumatism. Evidence of neighbors is also filed showing that claimant is unable to make a living by manual labor.

It appears that claimant is 65 years of age, and that he has no property and no income except his pension of \$12 per month.

In such cases this committee have usually granted a substantial increase by doubling the pension, and this is a case where justice requires similar action.

This bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

EDWIN F. BARRETT.

The next pension business was the bill (S. 4638) granting an increase of pension to Edwin F. Barrett.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin F. Barrett, late of Company F, First Regiment Wisconsin Volunteer Cavalry, and captain and assistant quartermaster, United States Volunteers, war with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 4638) granting an increase of pension to Edwin F. Barrett, have examined the same and report:

This bill proposes to increase from \$6 to \$24 per month the pension of Edwin F. Barrett, late of Company F, First Regiment Wisconsin Volunteer Cavalry, and captain and assistant quartermaster, United States Volunteers, war with Spain.

The military history of Captain Barrett, as it appears on the records of the War Department, shows that he enlisted February 24, 1864, as a corporal in Company F, First Wisconsin Cavalry, and served until June 13, 1865, when he was honorably discharged. The records further

show that on May 12, 1898, shortly after the breaking out of the war with Spain, he was appointed captain and assistant quartermaster, United States Volunteers, and served at Camp Alger, Virginia, Camp Meade, Pennsylvania, and at Columbia, S. C., to April 12, 1899, when he was honorably discharged and mustered out. The hospital records show that he was treated several times in hospital in 1865 for frostbite of feet, chilblain left foot, and intermittent fever.

Captain Barrett filed a claim at the Pension Bureau under the general law June 24, 1880, alleging that he incurred frostbite of feet about December 24, 1864, while on march from Bowling Green, Ky., and back on what was known as the Lyon raid in west Kentucky. His claim was allowed March 29, 1883, for tender feet, the result of frostbite, at \$4 per month from discharge, which rate was increased to \$6 per month under the act of March 2, 1895. This pension he continued to receive until May 12, 1898, when he again entered the service as captain and quartermaster during the war with Spain, for which reason his name was dropped from the pension roll. His pension of \$6 per month was again restored to him, however, from April 13, 1899, after his last discharge from the service.

It appears by the last report of the board of examining surgeons, dated April 6, 1904, that Captain Barrett is practically unable to perform manual labor by reason of his disabilities. He was rated \$6 for disease of feet, result of frostbite; \$6 for catarrh, \$6 for rheumatism, and \$6 for impaired sight. He is 59 years of age, in very poor circumstances financially, and greatly in need of relief.

In view of claimant's faithful service in two wars, his poverty, and inability to earn a support by his own manual labor by reason of physical disabilities, your committee are of opinion that he can properly be given the rate to which he would be entitled under the general law if all of his disabilities were established as of service origin.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### LUCY F. CRUTTENDEN.

The next pension business was the bill (S. 6417) granting an increase of pension to Lucy F. Cruttenden.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucy F. Cruttenden, widow of Joel D. Cruttenden, late colonel and quartermaster, United States Volunteers, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6417) granting an increase of pension to Lucy F. Cruttenden, have examined the same and report:

This bill proposes to increase from \$8 to \$20 per month the pension of Lucy F. Cruttenden, of Bayfield, Wis., widow of Joel D. Cruttenden, late colonel and quartermaster, United States Volunteers.

The records of the War Department show that Joel D. Cruttenden was commissioned captain and assistant quartermaster of volunteers February 27, 1862, to rank from February 19, 1862; that he accepted the commission March 29, 1862; that he was on duty in the Department of the Shenandoah and in the Army of the Potomac; that he was captured by the enemy at Strasburg, Va., May 25, 1862; that he was assigned to duty as quartermaster of volunteers with the rank and pay of colonel August 2, 1864, and continued on that duty until he was mustered out of service, on orders dated November 3, 1866, because his services were no longer required. The records further show that he was brevetted major, lieutenant-colonel, and colonel of volunteers, each to take effect March 13, 1865, for faithful and meritorious services during the war.

Colonel Cruttenden never applied for pension under the general law. He filed a claim under the act of June 27, 1890, and was pensioned under said act at the rate of \$12 per month. He died of heart disease at Columbus, Ohio, April 17, 1899.

Mrs. Cruttenden is now pensioned at \$8 per month under the act of June 27, 1890. She has never made a claim under the general law, for the reason she can not prove that her husband's death was the result of his military service.

Claimant was the wife of the soldier during his service, having been married to him November 28, 1861. She is now about 63 years of age. That she is poor is evidenced by the fact that she is pensioned under the act of June 27, 1890. It also appears from the papers on file in the Bureau that she has a son to support who is weak-minded and unable to care for himself, and is a source of great anxiety and expense to his mother. This son was born to her while soldier was in prison and has been of feeble mind since his birth.

The records show that Colonel Cruttenden was a good soldier, with an honorable record of nearly five years' service. His war widow is now aged and poverty stricken, and is burdened with the care of an afflicted child, and your committee are of opinion that a reasonable increase of pension may very properly be provided in her case.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### WILLIAM SOUTHWICK.

The next pension business was the bill (S. 6442) granting an increase of pension to William Southwick.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Southwick, late of Company E, Thirty-third Regiment Wisconsin Volunteer Infantry, and Company B, Sixth Regiment Michigan Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6442) granting an increase of pension to William Southwick, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of William Southwick, late of Company E, Thirty-third Regiment Wisconsin Volunteer Infantry, and Company B, Sixth Regiment Michigan Volunteer Heavy Artillery.

Claimant is shown by the records of the War Department to have enlisted August 21, 1862, as private in Company E, Thirty-third Regiment Wisconsin Volunteer Infantry, and to have been honorably discharged May 1, 1863, upon surgeon's certificate of disability, his lieutenant stating as follows:

"The said William Southwick was taken sick on or about the 26th of January, 1863, while in the performance of the ordinary duties of a soldier at Moscow, Tenn., and has been unfit for duty since the above date."

His regimental surgeon stated that he found soldier incapable of performing the duties of a soldier because of—

"Rheumatism chiefly affecting the hips and lower limbs. The disease existed prior to enlistment, but was concealed at the examination as a recruit. It was rendered unmanageable by fatigue and exposure during December, 1862, and January, 1863, and the patient is now unfit for any military duty or service whatever by reason thereof."

He again enlisted January 2, 1864, in Company B, Sixth Michigan Heavy Artillery, also known as First Michigan Heavy Artillery, and was honorably discharged and mustered out with company August 20, 1865.

Soldier filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for rheumatism. He filed a claim under the general law May 12, 1884, alleging that he contracted rheumatism at Moscow, Tenn., in the winter of 1862-63, but his claim was rejected October 29, 1894, on the ground that the records and evidence on file showed that his disability existed prior to his enlistment.

Soldier is 69 years of age. The board of surgeons by whom he was last examined rated his disability from rheumatism at \$24 per month and reported as follows:

"This man is very much emaciated and body poorly nourished. He stoops very much and there is quite a curvature in his spine. Heart very weak and rapid, but no valvular lesions. His rheumatism is very bad. There is complete ankylosis of left shoulder joint and arm is rigid at his side. He has fair movement of left elbow joint. The muscles of left arm are contracted and atrophied. He is gradually losing the use of his right arm. He has only a very limited movement of the right shoulder. He is unable to get the right arm over 6 inches away from his side, and can not put his hand to his head. He is unable to put on or off his coat or vest without assistance. We do not believe it possible for the applicant to perform any manual labor."

It is shown by evidence filed with this committee that claimant has no property or other means of support than his pension.

Your committee are of opinion that claimant's advanced age, his faithful service of over two years, his extreme poverty, and total inability to earn a support by his own manual labor warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

#### TERENCE J. TULLY, ALIAS JAMES FOX.

The next pension business was the bill (S. 6443) granting an increase of pension to Terence J. Tully, alias James Fox.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Terence J. Tully, alias James Fox, late of Company A, Thirteenth Regiment Vermont Volunteer Infantry, and landsman, U. S. S. Wyandotte, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6443) granting an increase of pension to Terence J. Tully, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Terence J. Tully, alias James Fox, of Bismarck, N. Dak., late of Company A, Thirteenth Regiment Vermont Volunteer Infantry, and landsman, U. S. S. Wyandotte, United States Navy.

The papers on file in the Pension Bureau show that claimant, under the name of Terence J. Tully, first enlisted August 22, 1862, and served as private and corporal in Company A, Thirteenth Vermont Infantry, until July 21, 1863, when he was honorably discharged. He again enlisted under the name of James Fox and served as a landsman in the Navy, on the U. S. S. Wyandotte, from March 20, 1864, to March 27, 1865. He enlisted for the third time under the name of Terence J. Tully, and served in Company D, Eighteenth United States Infantry, from January 14, 1878, to April 22, 1880, when finally and honorably discharged.

Soldier filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total inability to earn a support by manual labor, the result of rheumatism, disease of eyes and heart, blindness of left eye, neuralgia, and cerebral neurasthenia.

He filed a claim under the general law February 4, 1891, alleging that at Gettysburg, Pa., July 3, 1863, he incurred injury to his face and eyes, resulting in failure of sight. This claim was legally approved for injury to face and eyes from powder burn, but was rejected by the medical referee May 15, 1894, on the ground of no ratable disability since filing claim, impaired vision and interocular trouble not being accepted as result of powder burn.

All the evidence on file, including the report of his last medical examination by board of surgeons at Bismarck, N. Dak., March 10, 1897, shows that claimant is totally disabled for manual labor by reason of his disabilities. He was rated \$10 for rheumatism and resulting heart disease; \$14 for loss of sight of left eye and failure of right eye; \$8 for neuralgia and cerebral neurasthenia, and \$6 for constipation and general debility, and the concluding paragraph of the examining surgeon's report is as follows: "He is unfit for any kind of manual labor."

It appears that claimant is 69 years of age and in needy circumstances financially, being practically dependent upon his pension for support. He has a little property, but it is of small value and yields no income.

In view of his advanced age, his faithful service of two years during the war, his extreme poverty, and total disability, your committee are



of opinion that an increase of his pension to \$30 per month, as proposed in the bill, may very properly be provided to aid in his support.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

CARRIE M. CLEVELAND.

The next pension business was the bill (S. 6576) granting an increase of pension to Carrie M. Cleveland.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Carrie M. Cleveland, widow of Albert C. Cleveland, late first lieutenant and adjutant Forty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$17 per month in lieu of that she is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6576) granting an increase of pension to Carrie M. Cleveland, have examined the same and report:

This bill proposes to increase from \$8 to \$17 per month the pension of Carrie M. Cleveland, widow of Albert C. Cleveland, late first lieutenant and adjutant Forty-second Regiment Illinois Volunteer Infantry.

The military records show that Albert C. Cleveland enlisted August 1, 1861, as a private in Company I, Forty-second Illinois Infantry, to serve three years. He was promoted regimental commissary-sergeant September 1, 1862, and reenlisted as a veteran volunteer January 1, 1864. He was promoted to the rank of first lieutenant and adjutant April 26, 1865, and was honorably discharged and mustered out December 16, 1865, after over four years of continuous active service. The hospital records show that he was treated in August and September, 1864, for bloody flux, typhoid fever, intermittent fever, and remittent fever; in December, 1864, for intermittent fever and hepatitis, and April 18, 1865, for intermittent fever.

Soldier filed and established a claim under the general law and was originally pensioned at \$2 per month from September 12, 1882, for pleural adhesion of left side from typhoid fever contracted in the spring or summer of 1862, while holding the rank of private in Company I, Forty-second Illinois Volunteer Infantry. He also filed and established a claim under the act of June 27, 1890, and was pensioned at \$6 per month from September 24, 1890, which rate was increased to \$8 per month from May 13, 1896, and to \$12 per month from July 1, 1903, for pleural adhesion of left side, rheumatism and resulting disease of heart, and general debility and disease of rectum.

Soldier also filed a claim under the general law for additional pension on account of disease of heart and mouth, resulting in loss of teeth, and disease of bowels and rectum, alleging that these disabilities were the result of typhoid fever contracted in April, 1862. The claim for additional pension was rejected August 7, 1902, on the ground of soldier's failure to furnish satisfactory evidence showing service origin and continuance of alleged disabilities.

Soldier died September 9, 1903, the cause of his death being cerebral hemorrhage (apoplexy) from organic heart disease. The widow filed a claim under the general law October 7, 1903, which was rejected February 19, 1904, on the ground "that the soldier's death from apoplexy was not due to pleural adhesions of left side from typhoid fever, for which he was pensioned, and is not otherwise shown to have been chargeable to his military service." She also filed a claim under the act of June 27, 1890, established it, and has been pensioned under said act since April 18, 1904, at \$8 per month.

Claimant was married to soldier September 13, 1866, and is now 57 years of age. It is shown in evidence that she has absolutely no property and no means of support except her small pension of \$8 per month. It is further shown that she suffers from partial paralysis of right arm, shoulder, and thorax, and is physically incapacitated for labor and is unable to add to her pension.

The records show that Albert C. Cleveland was a good soldier, with an honorable record of over four years' service, and it is highly probable that his disabilities contracted in line of duty largely contributed to his death. His widow, destitute and infirm, appeals for relief, and your committee are of opinion that she can properly be allowed a pension of \$17 per month, which is the general-law rate for the widow of a first lieutenant.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; it was accordingly read the third time, and passed.

JOSIAH PEARSON.

The next pension business was the bill (S. 6578) granting an increase of pension to Josiah Pearson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josiah Pearson, late of Company I, One hundred and thirty-first Regiment, and Company I, Two hundred and seventh Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6578) granting an increase of pension to Josiah Pearson, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of Josiah Pearson, of Jamestown, N. Dak., late of Company I, One hundred and thirty-first Regiment, and Company I, Two hundred and seventh Regiment, Pennsylvania Volunteer Infantry.

The military records show that Josiah Pearson, the claimant, enlisted August 4, 1862, in Company I, One hundred and thirty-first Pennsylvania Infantry, and was honorably discharged January 27, 1863, upon surgeon's certificate of disability in consequence of piles and disease of left lung contracted in the service. He again enlisted September 7, 1864, as private in Company I, Two hundred and seventh Pennsylvania Infantry, and was honorably discharged and mustered out with his company May 31, 1865.

Soldier was wounded in battle before Petersburg, Va., April 2, 1865, and he filed and established a claim under the general law and was originally pensioned for gunshot wound of left little finger and disease of lungs at \$4 per month from August 26, 1882, date of filing claim, and \$8 per month from October 22, 1890, which rate was increased to \$12 per month from September 7, 1892. He applied for further increase June 18, 1903, but his application was rejected January 20, 1904, on the ground that his rate was commensurate with the degree of disability from pensioned causes.

The board of examining surgeons before whom claimant was examined at Jamestown, N. Dak., November 4, 1903, described his condition as follows:

"Distal joint little finger ankylosed; slight scar along end of finger. Rated for gunshot wound of left little finger six-eighths."

"Measurement of chest at rest 36, at full expiration 34, and at full inspiration 37 inches. Rattling over bifurcation of bronchial tubes; chronic bronchitis; chest symmetrical; no pleuritic effusions. Rated for disease of chest twelve-eighths."

"Figure bent and skin wrinkled. Teeth all gone. Unable to perform manual labor."

It appears that claimant is now 75 years old, infirm and decrepit, and broken down by age and disease and wholly incapacitated for earning a support by manual labor. It further appears that he has absolutely no property and is entirely dependent upon his pension of \$12 per month.

In such cases this committee has usually granted a substantial increase by doubling the pension, and this is a case where justice demands similar action.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

CATHARINE R. REYNOLDS.

The next pension business was the bill (S. 7021) granting an increase of pension to Catharine R. Reynolds.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catharine R. Reynolds, widow of Charles A. Reynolds, late lieutenant-colonel and deputy quartermaster-general, United States Army, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 7021) granting an increase of pension to Catharine R. Reynolds, have examined the same and report:

This bill proposes to increase from \$20 to \$40 per month the pension of Catharine R. Reynolds, widow of Charles A. Reynolds, late lieutenant-colonel and deputy quartermaster-general, United States Army.

The military history of Gen. Charles A. Reynolds, as it appears in the papers in the Pension Bureau, shows that he first entered the service during the war with Mexico and served as an enlisted man in Company F, District of Columbia and Maryland Battalion of Infantry, from July 23, 1847, to February 6, 1848. He was appointed second lieutenant, Ninth United States Infantry, March 3, 1855; promoted first lieutenant February 2, 1861, and appointed captain and assistant quartermaster November 18, 1861. He served as lieutenant-colonel and quartermaster of volunteers from November 1, 1862, to April 22, 1863. He was promoted to the rank of major and quartermaster, United States Army, March 3, 1875, and to the rank of lieutenant-colonel and deputy quartermaster-general April 9, 1885.

General Reynolds served about six years in Oregon and Washington Territory before the war. He was stationed at Fort Vancouver, and participated in the Indian fight at the Cascades with Colonel Wright and Lieut. Phil Sheridan. During the war he served gallantly on the staff of General Grant in the western army and still later under General Thomas. Subsequently he served ten years on the plains and was chief quartermaster, Department of Columbia, at date of his retirement. He was placed upon the retired list November 11, 1887, at his own request, after over thirty years' service, and died at Baltimore, Md., March 2, 1893, aged 67 years, of gastritis.

Mrs. Reynolds is now receiving a general-law pension of \$20 per month, it having been determined at the Bureau that the officer's fatal disease was the result of chronic diarrhea, contracted between 1861 and 1875, while holding the rank of captain and assistant quartermaster, United States Army, although he was twice promoted subsequent to that time.

In her sworn petition Mrs. Reynolds states that she lives at No. 207 East North Avenue, Baltimore, Md., with her unmarried daughter and one son 30 years of age, who is an invalid, confined to his bed for the past two years, with no hope of recovery; that she is dependent upon her pension for her support, having no other means from which she derives an income, and that her husband served for thirty years in active service in the Mexican war, the Indian wars, and the war of the rebellion, during which he was quartermaster on General Grant's staff, and was his personal confidant throughout the war, continuing in active service until retired, not on account of age, but because of infirmities contracted in the service of his country.

There are numerous precedents for increasing the pensions of widows of officers who rendered long and distinguished services in the Army, in view of which your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read a third time, and passed.

MELISSA E. NELSON.

The next pension business was the bill (S. 6580) granting an increase of pension to Melissa E. Nelson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Melissa E. Nelson, widow of John H. Nelson, alias James H. White, late of Company G, Eighth Regiment Minnesota Volunteer Infantry, and pay

her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The report (by Mr. HUNTER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6580) granting an increase of pension to Melissa E. Nelson, have examined the same and report:

This bill proposes to increase from \$8 to \$12 per month the pension of Melissa E. Nelson, widow of John H. Nelson, alias James H. White, late of Company G, Eighth Regiment Minnesota Volunteer Infantry, who served from February 9, 1864, to July 11, 1865, and was honorably discharged.

Soldier died October 30, 1902, of uræmic poisoning from chronic cystitis. At the time of his death he was a pensioner under the act of June 27, 1890, at the rate of \$12 per month, for rheumatism and disease of rectum and left leg.

The widow filed a claim under the general law December 29, 1902, which was rejected March 5, 1904, on the ground of her inability to prove that soldier's death was the result of his military service. She also filed a claim under the act of June 27, 1890, established it, and since December 29, 1902, has been pensioned under said act at \$8 per month.

Claimant was married to soldier December 25, 1855, and is now over 69 years of age. That she is poor is evidenced by the fact that she is pensioned under the act of June 27, 1890. It also appears that she is in poor health and unable much of the time to do even her own housework. She was the wife of the soldier during his service, and is entitled to favorable consideration as a war widow.

The small increase to \$12 per month proposed in the bill is proper, and the bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

LEWIS M. DUFF.

The next pension business was the bill (S. 7095) granting an increase of pension to Lewis M. Duff.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis M. Duff, late of Company H, Forty-ninth Regiment Kentucky Volunteer Infantry, and Company E, Sixth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 7095) granting an increase of pension to Lewis M. Duff, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of Lewis M. Duff, late of Company H, Forty-ninth Regiment Kentucky Volunteer Infantry, and Company E, Sixth Regiment Kentucky Volunteer Cavalry.

The military records show that Lewis M. Duff enlisted July 1, 1863, for twelve months as private in Company H, Forty-ninth Kentucky Infantry, and that he was mustered out on a detachment muster-out roll April 27, 1864, at Louisville, Ky., by reason of reenlistment in a three-year organization to date March 24, 1864. He was enrolled March 25, 1864, and mustered in April 27, 1864, as private in Company I, Seventh Kentucky Cavalry; he was transferred to Company E, Sixth Kentucky Cavalry, July 6, 1865, and was honorably discharged and mustered out September 6, 1865. The hospital records show that he was treated from January 3 to 21, 1864, for dysentery.

Claimant filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total disability for manual labor, the result of rheumatism, injury to right ankle, and amputation of left foot.

It appears from the evidence on file in the Pension Bureau that claimant is a very poor and needy old man, wholly incapable of earning a support by manual labor. He is 60 years of age and lost his left foot by the accidental fall and discharge of a rifle in September, 1900. His last medical examination, dated March 12, 1901, shows him to be afflicted with rheumatism and loss of left foot, and the examining surgeon reports as follows:

"A thin-visaged old man who shows his age in leanness and many wrinkles, with gray hair, almost white; muscular development poor, with no adipose tissue; the palms of hands are soft and denote nonuse."

An increase of soldier's pension to \$24 per month is recommended on the ground of his present condition; it is not shown to be due to his service and no higher rate is warranted.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

PETER A. PURDY.

The next pension business was the bill (S. 6966) granting an increase of pension to Peter A. Purdy.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter A. Purdy, late of Company H, Fourteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 6966) granting an increase of pension to Peter A. Purdy, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Peter A. Purdy, late of Company H, Fourteenth Regiment Wisconsin Volunteer Infantry.

The records of the War Department show that Peter A. Purdy, the claimant, enlisted May 28, 1861, as private in Company I, Fifth Wisconsin Infantry, and was honorably discharged November 12, 1861. He again enlisted February 5, 1864, as a private in Company H, Four-

teenth Wisconsin Infantry, and was honorably discharged October 9, 1865.

Soldier is now a pensioner under the act of June 27, 1890, at \$12 per month for total disability, the result of disease of lungs, rectum, and heart, chronic diarrhea, and partial paralysis. He has never made a claim under the general law.

It appears by the last report of the claimant's examination, which was made at his home May 24, 1904, that he is totally disabled and absolutely disqualified for the performance of manual labor. He was shown to be suffering from disease of the heart, rated at \$16; disease of kidneys (Bright's disease), rated at \$16; disease of rectum, rated at \$6; paralysis, rated at \$16, and senility, rated at \$16, and the examining surgeon reported that the sum of these disabilities totally incapacitated claimant for manual labor and that they were permanent and certain to progress to the bad and entitled him to \$30 per month.

Claimant is 62 years of age. It is shown by a petition of his neighbors, filed with this committee, that he is totally incapacitated and needs an attendant all the time, and that he is without means of support save his pension of \$12 per month.

Your committee are of opinion that soldier's advanced age and deplorable condition and extreme poverty, coupled with his faithful service, warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

EDMOND W. EAKIN.

The next pension business was the bill (S. 7066) granting an increase of pension to Edmond W. Eakin.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edmond W. Eakin, late of Company D, One hundred and twenty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 7066) granting an increase of pension to Edmond W. Eakin, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3818, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 7066) granting an increase of pension to Edmond W. Eakin, have examined the same and report.

This bill proposes to increase from \$30 to \$50 per month the pension of Edmond W. Eakin, late of Company D, One hundred and twenty-fifth Regiment Illinois Volunteer Infantry.

The records of the War Department show that Edmond W. Eakin was a good soldier with an honorable record of nearly three years' service. He enlisted August 6, 1862, and served as sergeant and first sergeant Company D, One hundred and twenty-fifth Illinois Infantry, until May 29, 1865. He was wounded in battle at Jonesboro, Ga., September 1, 1864, and was discharged upon surgeon's certificate of disability, as follows:

"Gunshot fracture of left superior maxilla, also ununited gunshot fracture of left ramus of lower maxilla, disability incurred since enlistment."

Soldier is in receipt of a pension of \$30 per month, having been increased at different times from \$6 per month on account of increased disability from gunshot wound of face, for which he was originally pensioned from discharge.

It appears from the evidence on file in his claim that claimant is paralyzed and helpless and requires the constant attendance of a nurse, both day and night. His grievous physical infirmities clearly appear, both from the papers filed at the Pension Bureau and with this committee. His last medical examination, dated December 5, 1904, described his condition as follows:

"Gunshot wound of face: Two balls entered the front of the chin about 1 inch apart, smashing the lower jaw on the left side, and about one-third of the bone of this side, together with the teeth, is gone. Another ball entered the nose on the right side 1 inch above the opening of the nostril. The ball passed diagonally through into the left cheek, shattering the left upper jaw, a part of which, with the teeth, came away. The left cheek is continually swollen, congested, and sore, and from this often abscesses form and discharge into the mouth. The deformity and soreness of the mouth precludes the wearing of plates for masticating, and only liquid and semiliquid food is eaten."

"Paralysis: Claimant is wholly paralyzed on the left side. He can neither walk nor stand alone. Both his feet and lower limbs to above the knees are swollen, oedematous, to fully double size, although bandages are worn on both. I am impressed that the paralysis is from embolus."

"Claimant can not lie down at any time. He sleeps wholly in the sitting posture. He never dresses. He can not attend to the calls of nature without assistance. Prospectively he will never be better, but will pass away in a few months."

Medical evidence filed with this committee confirms the findings of the Bureau surgeon as to soldier's helpless condition, and it is the opinion of his attending physicians that his severe wounds of face were the primary, or at least the aggravating, cause of his paralysis. The medical referee of the Bureau, however, declined to accept the paralysis as the result of the wounds of face.

Claimant is 76 years of age and in destitute circumstances. It is shown that he has no property, real or personal, except his household effects, and no means of support except his pension.

Your committee are of the opinion that soldier's faithful service of nearly three years, his advanced age, and severe wounds received in battle, his helplessness and poverty, warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

AMANDA D. PENICK.

The next pension business was the bill (S. 3406) granting an increase of pension to Amanda D. Penick.



The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda D. Penick, widow of William R. Penick, late colonel Fifth Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of \$42 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William R. Penick, helpless and dependent child of said soldier, William R. Penick, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Amanda D. Penick, the name of William R. Penick, helpless and dependent child of said soldier, shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the death of said Amanda D. Penick.

The report (by Mr. HOLLIDAY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3406) granting an increase of pension to Amanda D. Penick, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3929, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 3406) granting an increase of pension to Amanda D. Penick, have examined the same and report:

This bill proposes to increase from \$30 to \$42 per month the pension of Amanda D. Penick, widow of William R. Penick, late colonel Fifth Regiment Missouri State Militia Volunteer Cavalry, who served from March 17, 1862, to June 22, 1863, and who died December 4, 1891, of disease incurred in line of duty.

Mrs. Penick is now receiving a pension of \$30 per month, which is the highest rate provided for widows by existing general laws. She was married to the soldier January 11, 1852, and is now 72 years of age.

It appears from the evidence filed with this committee that Mrs. Penick is an invalid and for ten years or more has suffered from sciatic rheumatism of the left hip and leg, which has rendered the entire leg and foot stiff and numb to sensation. It is shown that she is rapidly failing in health and strength and will never be any better. It further appears that for forty years and more Mrs. Penick has had the care of an invalid son, who has been helpless from infancy.

This child is named William R. Penick. He was born in the early sixties, and, being over 16 years of age when his father died, his case is not covered by existing laws. It is shown that he is a victim of congenital chorea with spastic contractions; also paralysis of many muscles. He has never been able to stand or walk or dress himself; his legs and feet are useless; his mind is good; his speech, however, so imperfect that he can not well be understood; he is unable to do work of any kind, either manual or mental, and his condition has always been the same since his birth, and he has always required and received his mother's personal attendance. These facts are abundantly proved by evidence accompanying the bill.

It further appears that Mrs. Penick is in very straitened circumstances. She has a little money loaned, from which she derives a small yearly income, but she has no real estate, and the means of support for herself and son is practically limited to her pension. Her son has no income whatever and is dependent upon his mother for support.

The rules of your committee provide that a pension to a helpless and dependent child shall not exceed \$12 per month. In cases where the child is under the care and maintenance of his mother, and who is a pensioner, it has been customary to increase the pension of the mother to that amount, with a proviso that on the death of the child the increase shall cease, and with a further proviso that on the death of the mother the pension of \$12 per month shall continue to the child, and it is but just and proper that similar action should be taken in this case. The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

CHARLES GRASS.

The next pension business was the bill (S. 6096) granting an increase of pension to Charles Grass.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Grass, late of Company H, Eighth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6096) granting an increase of pension to Charles Grass, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3485, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6096) granting an increase of pension to Charles Grass, have examined the same and report:

This bill proposes to increase from \$17 to \$30 per month the pension of Charles Grass, late of Company H, Eighth Regiment West Virginia Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted September 1, 1861, in Company H, Eighth West Virginia Infantry, subsequently known as Seventh West Virginia Cavalry, and to have served as a private and as a noncommissioned officer until August 1, 1865, when honorably discharged, thus showing nearly four years of continuous service. The hospital records show that he was treated for rheumatism from January 8, 1863, to March 23, 1863.

Claimant filed and established a claim under the general law and was originally pensioned for disease of lungs, of service origin, at \$4 per month from discharge, which rate was increased to \$12 per month from October 22, 1884, for disease of lungs and resulting disease of heart and throat, and to \$17 per month from November 18, 1891. His last claim for increase, filed September 8, 1898, was rejected April

11, 1900, and again September 11, 1900, on the ground that his rate was commensurate with the disability from pensioned causes.

All the evidence on file shows that claimant is now totally incapacitated for the performance of manual labor. As far back as November 18, 1891, a board of examining surgeons for the Bureau reported claimant as "in bad fix for any manual labor." His last medical examination, dated May 17, 1879, showed him to be afflicted with gastritis, affection of bladder, and piles, in addition to his pensioned disabilities.

Dr. J. R. Buffington, claimant's family physician, testified in affidavit filed July 28, 1900, that claimant is emaciated, poor, and feeble, a physical wreck, unable to do manual labor, and on account of his severe heart disease is not fit to be left alone with any degree of safety. Other medical evidence on file shows that he is totally disabled for manual labor.

It appears that claimant is over 65 years of age, and that he is in poor circumstances financially. He has a small home, but with no other resources except his pension.

Your committee are of opinion that claimant's long and faithful service, his extreme poverty, and total disability warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JAMES B. CLARK.

The next pension business was the bill (S. 6076) granting an increase of pension to James B. Clark.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James B. Clark, late of Company H, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6076) granting an increase of pension to James B. Clark, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3735, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6076) granting an increase of pension to James B. Clark, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of James B. Clark, late of Company H, Seventy-eighth Regiment Pennsylvania Volunteer Infantry.

The military records show that James B. Clark enlisted September 1, 1861, as private in Company H, Seventy-eighth Pennsylvania Infantry, and was honorably discharged January 29, 1863, upon surgeon's certificate of disability in consequence of "chronic diarrhea of five months' standing, attended with extreme emaciation and great prostration of the vital powers." The hospital records show that he was treated during service for chronic diarrhea.

Soldier was originally pensioned under the general law at \$4 per month from discharge for varicose veins of left leg, which is the only disability alleged as of service origin. He is now pensioned at \$12 per month under the act of June 27, 1890, for total disability for manual labor, the result of varicose veins of left leg and disease of eyes.

Claimant is 64 years of age. It appears by the last report of the board of examining surgeons, dated April 14, 1904, that he is afflicted with varicose veins of left leg, almost total blindness from cataracts, and debility from age, and is totally disabled for manual labor. His vision is reported by this board as being one two-hundredths in right eye and five two-hundredths in left eye.

Evidence filed with this committee shows that claimant is now almost totally blind in both eyes, the result of double cataract, and is wholly incapacitated for any kind of labor, and is in need of an attendant. It also appears that he is suffering from disease of heart, varicose veins of both legs, and the effects of a paralytic stroke in January, 1904.

It is also shown that claimant is in very straitened circumstances, his only real estate being an undivided one-half interest in a lot and frame cottage worth about \$1,100, and his entire income, including his pension, being \$23 per month.

Your committee are of opinion that claimant's advanced age, almost total blindness, and great poverty warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

SAMUEL M. JONES.

The next pension business was the bill (S. 6075) granting an increase of pension to Samuel M. Jones.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel M. Jones, late of Company K, Eleventh Regiment Illinois Volunteer Infantry, and Second Battery Indiana Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6075) granting an increase of pension to Samuel M. Jones, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3731, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6075) granting an increase of pension to Samuel M. Jones, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Samuel M. Jones, late of Company K, Eleventh Regiment Illinois

Volunteer Infantry, and Second Battery Indiana Volunteer Light Artillery.

The records of the War Department show that Samuel M. Jones enlisted April 23, 1861, as a private in Company K, Eleventh Illinois Infantry, and was honorably discharged July 30, 1861. He again enlisted October 7, 1864, and served as a private in the Second Battery Indiana Light Artillery until July 3, 1865, when honorably discharged and mustered out.

Claimant filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month for total inability to earn a support by manual labor, the result of double inguinal hernia, disease of heart, and senile debility. He has never made claim under the general law.

Claimant is 67 years of age. It is shown by the evidence on file in his claim, including the report of the examining surgeons for the Bureau, dated March 9, 1904, that he is afflicted with catarrh, deafness, double inguinal hernia, disease of heart, rheumatism, and senile debility, and is wholly incapacitated for manual labor.

Evidence filed with this committee confirms the report of the examining surgeons as to claimant's incapacity for manual labor. The fact that in 1904 he was allowed the maximum rating under the act of June 27, 1890, establishes his total inability to earn a support by his own manual labor. It is also shown that he is a poor man, being entirely dependent upon his pension for the support of himself and wife.

Claimant's advanced age, extreme poverty, and total disability warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

ALMON W. BENNETT.

The next pension business was the bill (S. 6045) granting an increase of pension to Almon W. Bennett.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Almon W. Bennett, late of Company I, Forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6045) granting an increase of pension to Almon W. Bennett, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3487, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6045) granting an increase of pension to Almon W. Bennett, have examined the same and report:

This bill proposes to increase from \$17 to \$30 per month the pension of Almon W. Bennett, late of Company I, Forty-sixth Regiment Illinois Volunteer Infantry, who served from September 18, 1861, to January 20, 1866, and was honorably discharged.

Soldier is now pensioned at \$17 per month under the general law for rheumatism and slight deafness of both ears, incurred during his military service. He applied for increase May 28, 1902, and January 6, 1903, but his applications were rejected November 19, 1902, and August 12, 1903, respectively, on the ground that his rate was adequate for the disability resulting from pensioned causes.

Claimant was last medically examined April 23, 1903, and the report thereof shows that he is totally disabled for manual labor. He was rated \$17 for rheumatism and \$22 for severe deafness, and it was also shown that he was afflicted with paralysis agitans of right side. The concluding paragraph of the examining surgeons' report is as follows:

"This claimant is so disabled from rheumatism, severe deafness, and paralysis agitans as to be incapacitated for performing any manual labor, and is entitled to \$30 per month."

Soldier claimed that his paralysis agitans was a result of rheumatism, for which he is pensioned, but the medical referee of the Bureau declined to accept it as a result. The papers in his case show that he is poor. He was a good soldier, having served considerably over four years, and he is now totally disabled and in need, and your committee are of opinion that he is worthy of an increase of his pension to the general-law rate of \$30 per month.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

EDWARD D. HAMILTON.

The next pension business was the bill (S. 5814) granting an increase of pension to Edward D. Hamilton.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward D. Hamilton, late of Company G, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5814) granting an increase of pension to Edward D. Hamilton, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3816, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5814) granting an increase of pension to Edward D. Hamilton, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of Edward D. Hamilton, of Vancouver, Wash., late of Company G, Third Regiment Wisconsin Volunteer Infantry.

The military records show that Edward D. Hamilton enlisted April 23, 1861, as a private in Company G, Third Wisconsin Infantry; that he

was wounded and taken prisoner in battle at Winchester, Va., May 25, 1862, and that he was honorably discharged June 10, 1862. The records further show that he reenlisted in same company and regiment January 5, 1864, that he was wounded in battle at Dallas, Ga., May 25, 1864, and that he was honorably discharged July 18, 1865. The hospital records show that he was treated in service for wound in knee, remittent fever, gunshot wound of right arm, and catarrh.

Soldier filed and established a claim under the act of June 27, 1890, and is now in receipt of a pension under said act at the rate of \$12 per month on account of gunshot wounds of left leg and right arm, chronic diarrhea, and piles. He was formerly pensioned under the general law for gunshot wound of left leg received in battle at Winchester, Va., May 25, 1862, and for gunshot wound of right arm received in battle at Dallas, Ga., May 25, 1864, at the rate of \$4 per month from discharge, which was increased to \$6 per month from May 22, 1876, and to \$8 per month from April 8, 1882. His last claim for increase on account of his wounds, filed December 13, 1888, was rejected January 15, 1895.

Claimant also filed a claim under the general law for additional disabilities alleging service origin of plica, chronic diarrhea, and rheumatism. His claim was rejected January 26, 1904, on the ground of "no record, and the best obtainable evidence fails to establish incurrence in the service or continuance for many years after discharge."

Claimant is 70 years old. It appears from the last report of the board of examining surgeons, dated February 6, 1901, that he is practically unable to perform manual labor by reason of his advanced age and physical disability resulting from his gunshot wounds, chronic diarrhea, piles, rheumatism, and weak heart. The fact that he was allowed the maximum rate under the act of June 27, 1890, establishes his total disability for manual labor.

It appears that claimant is in poor circumstances financially; he has a few hundred dollars in bank, but he has no other means of support than his pension of \$12 per month.

In such cases this committee has usually granted a substantial increase by doubling the pension, and this is a case where justice requires similar action.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

BENJAMIN P. THOMPSON.

The next pension business was the bill (S. 5824) granting an increase of pension to Benjamin P. Thompson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin P. Thompson, late of Company G, Veteran Battalion, First Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. FULLER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5824) granting an increase of pension to Benjamin P. Thompson, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3495, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 5824) granting an increase of pension to Benjamin P. Thompson, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension of Benjamin P. Thompson, late of Company G, Veteran Battalion, First Regiment Colorado Volunteer Cavalry, who served from February 24, 1865, to October 28, 1865, and was honorably discharged.

Claimant is now pensioned under the act of June 27, 1890, at the rate of \$12 per month for total blindness. He filed a claim under the general law October 10, 1904, alleging total blindness as due to service, but he was unable to furnish any proof that his disability, which first appeared in recent years, was the result of his military service, for which reason his claim was rejected November 2, 1904.

Claimant's grievous disability clearly appears from the papers on file in the Pension Bureau, and it is shown that he is a good citizen and a man of exemplary habits. His disability is due to optic nerve atrophy, and he is totally blind beyond any hope of recovery.

He is about 57 years of age and in destitute circumstances, being entirely dependent upon his pension and the charity of friends for the support of himself and his invalid wife.

An increase of his pension to \$24 per month is recommended upon the ground of his present condition; it is not proved to be due to his service, which was but eight months, and no higher rate is warranted.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

CHESTER E. DIMICK.

The next pension business was the bill (S. 194) granting an increase of pension to Chester E. Dimick.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Chester E. Dimick, late of Company H, Eleventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. SULLOWAY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 194) granting an increase of pension to Chester E. Dimick, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3932, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 194) granting an increase of pension to Chester E. Dimick, have examined the same and report:

This bill proposes to increase from \$12 to \$24 per month the pension



of Chester E. Dimick, late of Company H, Eleventh Regiment New Hampshire Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted August 13, 1862, as private in above organization, and to have been honorably discharged March 5, 1863, upon surgeon's certificate of disability in consequence of gunshot wound of left arm received in battle at Fredericksburg, Va., December 13, 1862.

Soldier applied under general law for pension on account of gunshot wound of left arm and left side, both received at Fredericksburg, Va., December 13, 1862, and he was originally pensioned for gunshot wound of left arm at \$2 per month from discharge, which was increased to \$4 per month from December 21, 1887. No allowance was made for wound of left side, as it appears from the medical examinations on file that no ratable disability resulted therefrom.

Claimant is now pensioned under the act of June 27, 1890, at \$12 per month for gunshot wound of left side and arm, disease of chest, and left hernia. When he was last examined, May 20, 1891, he was rated \$4 for gunshot wound of left arm and side, \$4 for bronchitis, \$6 for disease of heart, and \$8 for left inguinal hernia. His present condition is shown by the following medical affidavits:

To whom it may concern:

This is to certify that I have known Chester E. Dimick, of this city, for the past twelve years as his family physician. In February, 1892, he developed a hernia of left side, to which I fitted a truss. In March, 1896, I fitted a truss to a hernia that had developed on right side, which he now wears constantly. In February, 1902, I treated him for a constant shortness of breath, due to an irregular and weakened heart action, which has continued, and renders him incapable of severe or continuous exertion.

In this summer of 1903 he has suffered from many asthmatic attacks and has chronic bronchitis constantly. He is much weakened generally, and above-named ailments render it impossible to follow any manual labor.

CHARLES F. FLANDERS, M. D.

MANCHESTER, N. H., October 6, 1903.  
STATE OF NEW HAMPSHIRE, Hillsboro, ss:

Personally appeared the above-named Charles F. Flanders, and subscribed and made oath to the above affidavit as true, this 6th day of October, 1903.

[SEAL.]

H. F. W. LITTLE,  
Notary Public.

To whom it may concern:

This is to certify that Mr. Chester E. Dimick is suffering from frequent and severe attacks of asthma, which render him unable to perform any manual labor whatever. He is also suffering from chronic bronchitis, weak heart, and hernia. During the past ten months he has lost 40 pounds in weight, owing to the above conditions.

GEORGE M. WATSON, M. D.

MANCHESTER, N. H., December 2, 1904.

Subscribed and sworn to before me this 2d day of December, 1904.

[SEAL.]

AIME E. BOISVERT,  
Notary Public.

It appears that claimant is about 65 years of age, and it is shown that he has but very little property, and that his income is but \$170 per year.

In such cases this committee usually recommends a substantial increase by doubling the pension, and this is a case where justice demands similar action.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

LYMAN H. LAMPREY.

The next pension business was the bill (S. 568) granting an increase of pension to Lyman H. Lamprey.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lyman H. Lamprey, late of Company H, Twelfth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. BRADLEY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 568) granting an increase of pension to Lyman H. Lamprey, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3933, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 568) granting an increase of pension to Lyman H. Lamprey, have examined the same and report:

This bill proposes to increase from \$10 to \$24 per month the pension of Lyman H. Lamprey, of Manchester, N. H., late of Company H, Twelfth Regiment New Hampshire Volunteer Infantry.

The records of the War Department show that Lyman H. Lamprey, the claimant under this bill, enlisted August 14, 1862, as private in Company H, Twelfth New Hampshire Infantry, for three years, and was honorably discharged July 1, 1865, upon surgeon's certificate of disability in consequence of "gunshot wound received in line of duty at Cold Harbor, Virginia, June 3, 1864. Ball struck lower third of left forearm, passing between the bones."

He filed a claim under the general law and was originally pensioned for gunshot wound of left arm at \$4 per month from discharge, which rate was increased to \$6 per month from January 17, 1870; to \$8 per month from September 4, 1873, and to \$10 per month from May 14, 1890, for gunshot wound of left forearm and resulting impaired motion of left index and middle fingers.

It appears from medical evidence filed with this committee that soldier's present condition is one of total disability for manual labor. In addition to his gunshot wound he suffers from partial paralysis of lower extremities and rheumatism, and is a victim of confirmed diabetes. Two physicians testify to his disabilities and positively state that he is unfitted for manual labor.

The claimant is 63 years of age, and is in straitened circumstances financially. The only property he possesses is a small cottage house

known as No. 96 Blodgett street, Manchester, N. H., valued at about \$2,000, which he uses as a home. The amount of his income is not shown, but it is said to be inconsiderable.

In view of his advanced age, his faithful service of nearly three years, and wound received in battle, his poverty and inability to earn a support by his own manual labor by reason of physical disabilities, your committee report the bill back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

GILBERT L. EBERHART.

The next pension business was the bill (S. 3253) granting an increase of pension to Gilbert L. Eberhart.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gilbert L. Eberhart, late first lieutenant and regimental quartermaster Thirty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3253) granting an increase of pension to Gilbert L. Eberhart, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3819, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 3253) granting an increase of pension to Gilbert L. Eberhart, have examined the same and report:

The bill proposes to increase from \$12 to \$24 per month the pension of Gilbert L. Eberhart, late first lieutenant and regimental quartermaster Thirty-seventh Regiment Pennsylvania Volunteer Infantry.

The military records show that Gilbert L. Eberhart, the claimant under this bill, entered the service July 1, 1861, as commissary-sergeant, Thirty-seventh Pennsylvania Infantry; he was promoted first lieutenant and regimental quartermaster, same regiment, July 1, 1862, and served until May 24, 1864, when honorably discharged and mustered out. The hospital records furnish no evidence of disability or treatment during service.

Claimant is now a pensioner under the act of June 27, 1890, at \$12 per month, being wholly unable to earn a support by manual labor by reason of advanced age. He filed and established a claim under the general law and was pensioned July 13, 1885, for nearly total deafness of right ear, incurred during his service, at the rate of \$4.25 from April 28, 1884, which rate was increased to \$6 per month from November 15, 1887, and to \$10 per month from August 27, 1888. His claim for further increase under the general law, filed July 2, 1902, was rejected March 21, 1903, on the ground that his rate was commensurate with the disability from pensioned cause.

On February 27, 1891, claimant filed a claim for additional pension on account of partial deafness of left ear, which he alleged originated at same time and place as deafness of right ear. This claim was rejected, however, January 21, 1899, on the ground that a ratable disability from deafness of left ear was not shown to exist since date of filing claim.

Claimant was born January 16, 1830, and is consequently over 75 years old. His last medical examination, dated November 12, 1902, reported him as totally deaf in right ear and slightly so in left ear, for which the examining surgeons recommended a rating of \$20 per month. It appears that he is also disabled by the infirmities of old age generally, and is unable to earn a support by manual labor. The fact that he was allowed the maximum rate under the act of June 27, 1890, establishes his total disability for manual labor.

Your committee are also informed that claimant is in destitute financial circumstances, and in such cases they have usually recommended a substantial increase by doubling the pension, and it seems just and proper that similar action should be taken in this case.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JANE HOLLIS.

The next pension business was the bill (S. 7206) granting a pension to Jane Hollis.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane Hollis, widow of Richard Hollis, late of Company K, Fifth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$8 per month.

The report (by Mr. SULLOWAY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 7206) granting a pension to Jane Hollis, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3935, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 7206) granting a pension to Jane Hollis, have examined the same and report:

Richard Hollis was a private in Company K, Fifth Michigan Cavalry, and served from August 21, 1862, to June 23, 1865, when honorably discharged. He died January 25, 1900, of disease of heart, being at the time of his death a pensioner under the act of June 27, 1890, at the rate of \$12 per month for injury to left hand. He also applied under the general law and was pensioned for chronic diarrhea, of service origin, at \$24 per month from February 6, 1890, date of filing claim, to July 4, 1890, date of the commencement of his pension, at a higher rate under the act of June 27, 1890.

Jane Hollis is the widow of the soldier, having married him a short

time after the passage of the act of June 27, 1890. She has made no claim at the Bureau, as existing laws do not cover her case. She is unable to prove that her husband's death was the result of his military service, which would be necessary for her to do in order to obtain pension under the general law, and her marriage to the soldier subsequent to the act of June 27, 1890, bars her title to pension under the act of that date.

Claimant is 66 years of age. The only property she owns is a small house worth but a few hundred dollars, which yields her probably an income of \$30 or \$40 per year. There is no doubt of her dependence under the act of June 27, 1890, and she is now being cared for by relatives.

Your committee is of opinion that in view of the age of the claimant and her destitution the bill should pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

WILLIAM S. UNDERDOWN.

The next pension business was the bill (S. 3442) granting an increase of pension to William S. Underdown.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William S. Underdown, late pay clerk, United States steamer Robb, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3442) granting an increase of pension to William S. Underdown, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3690, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 3442) granting an increase of pension to William S. Underdown, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of William S. Underdown, late pay clerk U. S. S. Robb.

It appears for the records of the Navy Department that William S. Underdown served four terms as pay clerk in the Navy during the war, his first appointment being dated October 9, 1861, and his final discharge from his war service being dated September 24, 1865. After the war, and commencing December 26, 1865, he served as pay clerk under successive appointments, with intermissions of a few months now and then, until December 27, 1893, when he was finally and honorably discharged.

Claimant was originally pensioned under the general law at \$10 per month from August 26, 1899, for rheumatism incurred during his service in the Navy in the early eighties. He is now pensioned at \$12 per month under the act of June 27, 1890, for total inability to earn a support by manual labor, resulting from the infirmities of age.

Claimant was born November 28, 1831, and is consequently over 73 years old. It appears from the evidence on file in his claim that he is afflicted with rheumatism, disease of heart, fracture of left leg, deafness, and other infirmities of advanced age, and is totally disabled for the performance of manual labor. When he was last examined, April 23, 1900, he was rated \$8 for rheumatism, \$16 for disease of heart, \$3 for deafness, and \$8 for fracture of left leg.

It further appears from the papers on file in the Pension Bureau that claimant is in necessitous circumstances and is dependent upon others for support, having nothing aside from his pension of \$12 per month.

In view of his long and faithful service, his advanced age, and total disability and extreme poverty, your committee are of opinion that an increase of his pension to \$30 per month, as proposed in the bill, may very properly be provided to aid in his support.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

HELEN S. WRIGHT.

The next pension business was the bill (S. 6930) granting an increase of pension to Helen S. Wright.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen S. Wright, widow of William Wright, late acting master, United States Navy, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The report (by Mr. SULLOWAY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6930) granting an increase of pension to Helen S. Wright, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3931, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6930) granting an increase of pension to Helen S. Wright, have examined the same and report:

This bill proposes to increase from \$8 to \$20 per month the pension of Helen S. Wright, widow of William Wright, late acting master, United States Navy.

The records of the Navy Department show that William Wright was appointed an acting master in the Navy October 28, 1861, and ordered to report for duty in the North Atlantic Blockading Squadron. He served on the U. S. S. *Minnesota* until March 23, 1863, when detached therefrom and ordered to the command of the U. S. S. *Mystic*, on which vessel he served until the date of his honorable discharge, September 17, 1865.

Captain Wright filed a claim under the act of June 27, 1890, and pension was allowed thereon at \$8 per month from September 16, 1890, and \$12 per month from December 20, 1899, for dyspepsia, disease of

heart and lungs, and umbilical hernia. On November 4, 1890, he filed a claim under the general law, alleging chronic dyspepsia and resulting heart disease, but he was unable to furnish any evidence of service origin or of continuance some years after discharge, for which reason his claim was rejected. He died March 23, 1900, the cause of his death being heart disease.

Mrs. Wright is now receiving the pension of \$8 per month provided by the act of June 27, 1890. She has never made claim under the general law, for the reason that she is unable to prove that her husband's death was the result of his naval service.

Mrs. Wright was married to the officer September 20, 1863. She is well advanced in years, being about 60 years of age, and was left with but little property of any kind. That she is poor is evidenced by the fact that she is pensioned under the act of June 27, 1890. Her husband was a good officer and served faithfully for nearly four years, and it is highly probable that his health suffered in consequence.

She is a war widow and bore all the anxieties and trials of that period, and your committee are of opinion that she can properly be allowed a pension of \$20 per month, which is the rate she would receive if she could prove that her husband's death was the result of his naval service.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

JOHN WELCH.

The next pension business was the bill (S. 7194) granting an increase of pension to John Welch.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Welch, late of Company G, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 7194) granting an increase of pension to John Welch, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 4021, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 7194) granting an increase of pension to John Welch, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of John Welch, of Pittsburg, Pa., late of Company G, Twenty-eighth Regiment Pennsylvania Volunteer Infantry.

Claimant is shown by the records of the War Department to have enlisted July 21, 1861, as a private in Company G, Twenty-eighth Pennsylvania Volunteer Infantry; to have been transferred to Company B, Twelfth Veteran Reserve Corps July 29, 1863, and to have been honorably discharged July 12, 1864.

He filed and established a claim under the general law and was originally pensioned for disease of chest, of service origin, at the rate of \$2 per month from discharge and \$8 per month from February 15, 1883, which was increased to \$12 per month from April 24, 1889. His last claim for increase, filed at the Bureau October 7, 1897, was rejected November 16, 1899.

On July 22, 1897, while working for the Pennsylvania Railroad Company at Pittsburg, he was run over by a locomotive, sustaining loss of left foot at the ankle and right leg just below the knee, and also other injuries. Since this accident claimant has been in a deplorable condition, practically helpless and wholly unable to earn a support of any kind. His grievous disability is clearly shown by the papers on file in the Pension Bureau, and if it had been caused by his military service he would be entitled to a pension of \$100 per month.

It is shown by the papers on file in his case that claimant is in a very destitute condition and without any means of support except his pension. Since he lost his feet his wife has been the mainstay of the family, supporting her husband and children by doing washing, cleaning houses and offices, and other like heavy labor.

Claimant is over 70 years of age. His condition now from age, disease, and physical deformities necessitates the constant care of his wife, and she is unable to work as formerly for their support. In his extremity he appeals to Congress for relief, and your committee are of opinion that the facts in his case fully warrant the increase of pension to \$36 per month, and when so amended the passage of the bill is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

CHARLES M. SUTER.

The next pension business was the bill (S. 7210) granting an increase of pension to Charles M. Suter.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles M. Suter, late of Company I, Seventh Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The report (by Mr. DEEMER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 7210) granting an increase of pension to Charles M. Suter, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 4020, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 7210) granting an increase of pension to C. M. Suter, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Charles M. Suter, late of Company I, Seventh Regiment Maryland



Volunteer Infantry, who served from August 14, 1862, to May 31, 1865, and was honorably discharged.

Claimant is now pensioned at \$12 per month under the act of June 27, 1890, for impaired sight, and while he is practically totally blind and in great need he can obtain no further relief at the Bureau, his disability not being directly traceable to his military service, for which reason he has never made claim under the general law.

Claimant is 63 years of age. His condition now is one of total disability for labor of any kind, and he requires an attendant to lead him around, and he is for all practical purposes totally blind. His neighbors generally regard him as a blind man. It further appears that he is a very poor man, with but little means of any kind and dependent upon his small pension for support.

Claimant's advanced age, almost total blindness, and poverty, coupled with his faithful service of nearly three years, warrant the increase proposed in the bill, the passage of which is recommended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

HARRIET E. PENROSE.

The next pension business was the bill (S. 202) granting a pension to Harriet E. Penrose.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet E. Penrose, widow of William H. Penrose, late colonel Sixteenth Regiment United States Infantry, and brigadier-general, United States Volunteers, and pay her a pension at the rate of \$50 per month.

The report (by Mr. LOUDENSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 202) granting a pension to Harriet E. Penrose, have considered the same and respectfully report as follows:

Said bill is accompanied by Senate Report No. 3892, this session, and the same fully setting forth the facts as adopted by your committee as their report, and the bill is returned with the recommendation that it pass when amended so as to fix the rating at \$30 per month, said rating being that allowed under the general law to the widows of soldiers of this rank and the same being in strict accord with the action of your committee in cases of this character. The Senate report is as follows:

Harriet E. Penrose is the widow of William H. Penrose, late colonel Sixteenth Regiment United States Infantry and brigadier-general, United States Volunteers.

The military history of William H. Penrose furnished your committee shows that he was appointed second lieutenant, Third United States Infantry, April 13, 1861, and first lieutenant, same regiment, May 14, 1861; that he served as regimental adjutant from March 1 to April 18, 1863; that he was mustered in as colonel Fifteenth New Jersey Volunteer Infantry April 18, 1865, and appointed captain of the Third United States Infantry September 11, 1863, while serving as colonel of the Fifteenth New Jersey Infantry; that he was appointed brigadier-general, United States Volunteers, June 27, 1865, and was honorably mustered out of the volunteer service January 15, 1866; that he was appointed major of the Twelfth United States Infantry May 31, 1863; lieutenant-colonel of the Sixteenth Infantry August 21, 1868; colonel of the Twentieth Infantry November 28, 1893; was transferred to the Sixteenth Infantry September 15, 1894, and was retired by operation of law March 10, 1896.

General Penrose served with the Fifteenth New Jersey Infantry from May, 1863, to May, 1864. He was in command of the First Brigade, First Division, Sixth Army Corps, from May 9, 1864, to October 19, 1864, when he was wounded in action at Middletown, Va. He was absent on account of wound to February 26, 1865, and from that date to July 18, 1865, he was in command of the First Brigade, First Division, Sixth Army Corps.

The records further show that General Penrose received the brevet of captain May 3, 1863, "for gallant and meritorious service in the battle of Marye's Heights, Virginia," of major, July 2, 1863, "for gallant and meritorious service in the battle of Gettysburg, Pa.," of lieutenant-colonel, May 5, 1864, "for gallant and meritorious service in the battle of the Wilderness, Virginia," of colonel, October 19, 1864, "for gallant and meritorious service in the battle of Cedar Creek, Virginia," and of brigadier-general, April 9, 1865, "for gallant and meritorious service in the field during the war." He was brevetted brigadier-general of Volunteers October 19, 1864, "for gallant and meritorious service in the battle of Middletown, Va."

General Penrose came from a very long line of military ancestors. His father, Maj. James W. Penrose, graduated from West Point in 1828, and he was born in the military garrison of Madison Barracks, where his father was then stationed. On his wife's side is found the name of Gen. Jacob Brown, commander in chief of the Army.

After the war the service of General Penrose was rendered principally in the West, his last command being Fort Douglas, Utah. He died at Salt Lake City August 29, 1903, while on the retired list of the Army, the cause of his death being typhoid fever.

Mrs. Penrose is well advanced in years, in delicate health, and was left with very little means of any kind. She has no status at the Pension Bureau, as it can not be proved that her distinguished husband died of wounds or disease contracted during his active military service. She recently suffered a stroke of paralysis, and is now in a wholly invalid condition, requiring the constant care and attendance of another person. She was married to General Penrose September 1, 1853, and was his wife during the whole period of his service.

Your committee are of opinion that the long continued and distinguished services of the soldier and the straitened circumstances of the widow warrant the relief proposed in the bill, and the passage of the same is recommended.

The amendment recommended by the committee was read, as follows:

In line 9 strike out "fifty" and insert "thirty."

The amendment was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

CHARLES B. SPENCER.

The next pension business was the bill (S. 6701) granting a pension to Charles B. Spencer.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles B. Spencer, late acting second assistant engineer, United States Navy, and pay him a pension at the rate of \$24 per month.

The report (by Mr. GIBSON) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 6701) granting a pension to Charles B. Spencer, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 3527, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 6701) granting a pension to Charles B. Spencer, have examined the same and report:

This bill proposes to grant a pension of \$24 per month to Charles B. Spencer, late acting second assistant engineer, United States Navy.

The report of service on file in this case in the Pension Bureau shows that Charles B. Spencer was appointed acting second assistant engineer, United States Navy, May 27, 1861, and served on the U. S. S. *Freeborn* until August 5, 1861, when he honorably resigned.

The officer's claim under the act of June 27, 1890, filed May 9, 1904, was rejected August 11, 1904, on the ground that his service was less than ninety days. This was correct.

It appears, however, from a report made by Hon. Paul Morton, Secretary of the Navy, to Senator TALIAFERRO, who introduced the bill in claimant's behalf, that claimant was appointed in the Navy May 9, 1861, and served as second assistant engineer on the *North Carolina* and *Freeborn* until August 5, 1861, when he honorably resigned. According to this report, claimant's service was eighty-nine days, just one day short of the period required to give him title to pension under the act of June 27, 1890.

It appears that claimant is 72 years of age and has been in poor health and under the doctor's care for the past five years. It further appears that he has very little means of support.

In view of the fact that claimant's service lacked but one day of the statutory period required to give him title to pension your committee are of opinion that the requirement of the law in this respect may very properly be waived, and that he should be allowed the pension of \$12 per month provided by the act of June 27, 1890.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOSEPHINE E. BARD.

The next pension business was the bill (S. 7227) granting an increase of pension to Josephine E. Bard.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josephine E. Bard, widow of Robert W. Bard, late major, Ninety-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The report (by Mr. GIBSON) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 7227) granting an increase of pension to Josephine E. Bard, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 4245, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 7227) granting an increase of pension to Josephine E. Bard, have examined the same and report:

This bill proposes to increase from \$8 to \$25 per month the pension of Josephine E. Bard, widow of Robert W. Bard, late major, Ninety-fifth Regiment New York Volunteer Infantry.

It appears from the records of the War Department that Robert W. Bard entered the service December 10, 1861, and served as first lieutenant and captain of Company I, and also major of the Ninety-fifth New York Infantry until July 16, 1865, when honorably discharged. He was appointed to the Regular Army May 16, 1866, and served as second and first lieutenant in the Sixteenth and Second regiments of United States Infantry until August 16, 1876.

Major Bard was wounded in the right thigh in action at Weldon Railroad, August 21, 1864, and was under treatment at various dates during his service in the war for malarial fever, catarrh, sunstroke, vertigo, and gunshot wound. He filed and established a claim under the general law on account of gunshot wound of right thigh and was pensioned at \$25 per month. He died April 13, 1903.

Mrs. Bard filed a claim under the act of June 27, 1890, established it, and is now pensioned under said act at \$8 per month. She was married to the officer May 14, 1867, and is now 59 years of age. It appears in the evidence that she has no means of support and no property except 88 acres of wild land, not cultivated nor of any use, and 10 acres of land and a dwelling house used as a homestead.

The facts in the case are personally known to Hon. ROBERT W. DAVIS, a Member of the House of Representatives from Florida, who certifies that the case is a most deserving one; that she is in great need; that her husband was a gallant soldier, who was seriously wounded during the war, and that his widow is fully deserving of an increase of pension.

In view of the soldier's long and faithful service during the war and afterwards in the Regular Army, and the straitened circumstances of his widow, it is believed that an increase of her pension to \$25 per month may properly be provided, that being the rate she would receive if she could prove that her husband's death resulted from the wound he received in battle.

The bill is therefore reported back favorably with a recommendation that it pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ROBERT CATLIN.

The next pension business was the bill (S. 7077) granting a pension to Robert Catlin.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Catlin, helpless and dependent child of Robert Catlin, late second lieutenant, Fifth Regiment United States Artillery, and Forty-third Regiment United States Infantry, and pay him a pension at the rate of \$20 per month.

The report (by Mr. SULLOWAY) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 7077) granting a pension to Robert Catlin, have examined the same and adopt the Senate report thereon and recommend that the bill do pass when the same shall have been amended as follows:

In line 9 strike out the word "twenty" and insert in lieu thereof the word "twelve."

This amendment is based upon the uniform rule of the House and Senate to allow a pension of \$12 per month only to helpless children.

[Senate Report No. 4246, Fifty-eighth Congress, third session.]

The Committee on Pensions, to whom was referred the bill (S. 7077) granting a pension to Robert Catlin, have examined the same and report:

This bill proposes to grant a pension of \$20 per month to Robert Catlin, helpless and dependent child of Robert Catlin, late second lieutenant, Fifth Regiment United States Artillery, and captain, Forty-third Regiment United States Infantry.

The military records show that Robert Catlin was a cadet at the Military Academy from July 1, 1859, to June 11, 1863, when graduated and appointed second lieutenant, Fifth United States Artillery. He served with his battery until April 26, 1865, when he was retired from active service by reason of disability from loss of left leg, the result of gunshot wound received in battle on the Weldon Railroad, Virginia, August 2, 1864.

After the war Captain Catlin was appointed captain, Forty-third United States Infantry, July 28, 1866; was transferred to unassigned list April 8, 1869, and was again retired from active service December 15, 1870, on account of disability from loss of left leg in battle.

Captain Catlin was on duty with his battery in the Army of the Potomac from the date of his appointment as second lieutenant until the date of his wounding with the exception of a period from January 2, 1864, to May 1, 1864, when he was on leave of absence. He participated in the prominent battles of the Army of the Potomac in the last half of 1863 and the first half of 1864, notably at the Wilderness, Spotsylvania, North Anna River, Bethesda Church, Petersburg, and Weldon Railroad, where he was severely wounded, losing his left leg. He was brevetted first lieutenant, United States Army, for gallant services during the operations on the Weldon Railroad, Virginia, August 18, 1864, and captain, United States Army, for gallant and meritorious services in the battle on the Weldon Railroad, Virginia, August 21, 1864.

Captain Catlin was on mustering duty at Harrisburg, Pa., May 15 to August 13, 1865; at the Military Academy as assistant professor of geography, history, and ethics to August 31, 1866; treasurer United States Military Academy August 31, 1867, to December 31, 1870, and deputy governor Soldiers' Home, Washington, D. C., from May 15, 1885, to August 1, 1891. He died in this city December 28, 1903, from intercranial pressure from cerebral pressure.

Mrs. Catlin filed a claim at the Bureau under the general law March 18, 1904, but the same was rejected April 21, 1904, "on the ground that the soldier's death from cerebral hemorrhage can not be accepted as a result of amputation of left leg below the knee, and the claimant's apparent inability to furnish the necessary evidence to connect his death with the military service."

Mrs. Catlin was married to the officer September 23, 1873. In her petition she states in part as follows:

"The age of the petitioner is 64 years. She has a family of two daughters, both wholly dependent on the petitioner for support, although one is studying with a view of becoming a trained nurse. She also has a son 28 years of age, who is an incurable invalid in a sanitarium at Elwin, Pa. He is wholly incompetent to do anything; his case is perfectly hopeless. Neither the son nor the daughters have any means whatever of support. The expenses of the son at the sanitarium are about \$400 a year. The petitioner also states that her late husband, by reason of a wound resulting in the loss of his left leg and general ill health resulting therefrom, was from time to time put to large expense in the way of doctor bills, one bill alone, incurred about four years ago, amounting to \$1,000, all of which had not been paid at the death of the petitioner's husband, the petitioner having paid \$130 balance since the death of her husband. In addition to this bill other large bills were incurred, all of which prevented the petitioner's husband from making any investments looking to the support of his family. The income of the petitioner is wholly insufficient to maintain herself and children in comfort or in the manner in which they have been accustomed to live. The total amount of pay received by the petitioner's late husband for a number of years was \$157.50 per month. The income of the petitioner is uncertain and is liable to fall off at any time."

Of interest in the case the following copies of letters are submitted:

No. 1425 EUCLID PLACE,  
Washington, D. C., January 15, 1904.

Capt. Robert Catlin, late United States Army, retired, was severely wounded at the battle of Weldon Railroad, August, 1864, which resulted in the loss of his left leg by amputation below the knee and in his retirement from active service. The wound, after healing, became the seat of severe neuralgic pains which continued throughout his life and for which several surgical operations were tried, with only temporary relief. The effect of this suffering was to disable him almost entirely from engaging in any remunerative occupation by which he might have accumulated means for the support of his widow and one helpless and dependent child.

W. H. FORWOOD,  
Brigadier-General, U. S. Army, Retired.

1524 WALNUT STREET,  
Philadelphia, Pa., January 22, 1904.

MY DEAR GENERAL: I am perfectly acquainted with the case of Captain Catlin. I do not believe that in all the mass of men belonging to the Army who came out of it with wounds, that there is a single one who ever could have suffered for his country as this man did. It is safe to say that from the time he lost his leg and the wound began to heal that there never was a day for thirty-five years that he did not have pain, and sometimes for many hours of the day. Within two or three years of his death I believe the pain lessened, but never completely left him. One operation, at least, was done to relieve, but failed to produce any effect upon his sufferings.

I do not know how I can state more strongly than this the miserable condition which afflicted that interesting gentleman and gallant soldier for so many years.

He himself, at my request, took an interest in ascertaining how far his attacks of neuralgic pain referred to the lost foot were due to conditions of weather. The fact that we worked for eleven years together over this problem enabled me to know intimately this man and the extent of his sufferings, which were recorded in curves upon the tables that we published together illustrating the hours of pain. These papers are to be found in the Surgeon-General's office, and perhaps better than anything else would appeal to intelligent men in favor of this quite exceptional case of suffering.

Yours, very truly,

WEIR MITCHELL.

A. MORDECAI,  
Brigadier-General, U. S. Army, War Department,  
Washington, D. C.

P. S.—Do you want anything more formal?

The following letter from Mrs. Catlin recites the facts regarding her helpless child:

FEBRUARY 2, 1905.

DEAR MR. SENATOR: According to your request I make the following statement:

I am the widow of the late Robert Catlin, captain, United States Army, retired.

My only son, Robert Catlin, having been from birth mentally and physically incapable of self-support, has been for the last five years or more an inmate of the Pennsylvania State Institution, Elwyn, Pa., for the feeble-minded and insane. He is 28 years of age, and I have been informed by a physician that his condition will never improve, and he will never be capable of self-support.

The charge of his board and care, exclusive of clothing, is \$300 per annum, which is the lowest rate at which I can secure proper care for him.

Having thus stated the case, I trust that the matter may have your favorable consideration and support.

Very truly, yours,

MARY L. CATLIN.

Hon. PORTER J. McCUMBER,  
Chairman Committee on Pensions.

Your committee report the bill back favorably with the recommendation that it pass.

The amendment recommended by the committee was read, as follows:

In line 9 strike out "twenty" and insert "twelve."

The amendment was agreed to.

The bill as amended was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. SULLOWAY, a motion to reconsider the votes by which the several bills were passed was laid on the table.

JUDICIAL DISTRICTS OF WASHINGTON.

The SPEAKER laid before the House the bill (H. R. 2831) to divide Washington into two judicial districts, with Senate amendments thereto.

The Senate amendments were read.

Mr. JONES of Washington. Mr. Speaker, I move that the House concur in the Senate amendments.

The SPEAKER. The question is on the motion of the gentleman from Washington, to concur in the Senate amendments.

The question was taken, and the motion was agreed to.

LIGHT-HOUSE AND FOG SIGNAL AT DIAMOND SHOAL.

Mr. SMALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 17941) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, which I send to the desk and ask to have read.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the substitute be read in place of the bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The Clerk read the substitute, as follows:

*Be it enacted, etc.*, That chapter 1814 of the public statutes, second session Fifty-eighth Congress, entitled "An act to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras," approved April 28, 1904, be, and the same is hereby, amended to read as follows:

"That Albert F. Eells, of Boston, Mass., be, and he is hereby, authorized, with such others as may be associated with him, to construct, in the manner and on the conditions herein specified, a substantial and sufficient light-house and fog signal of the latest and most improved construction, together with such auxiliary works of the most modern character and such as will be necessary to maintain the same permanently, upon the outer Diamond Shoal, on the coast of North Carolina, at Cape Hatteras."

That the word "structure" hereinafter used shall be construed to mean "light-house and fog signal," as hereinbefore specified.



That the said Eells and his associates shall, within six months from the date of the approval of this act, file with the Secretary of Commerce and Labor—

(a) An agreement in writing accepting all of the provisions of this act; and

(b) Detailed drawings and specifications of the structure in all its parts for the approval of said Secretary upon his determination that the plans conform to the standards required by the Light-House Service, and assure the stability of the completed structure except as to the possible yielding of the sand or other material upon which it is to be placed affecting the verticality of the tower or the height of the light, the risk of which is wholly that of the said Eells and his associates, or successors, and their heirs and legal representatives. And unless said plans are approved by said Secretary prior to January 1, 1906, and the construction of the proposed structure be in good faith commenced within six months after such approval, the authority granted by this act shall cease.

That if the Secretary of Commerce and Labor shall approve the plans for said structure he shall, within sixty days after written request therefor from the said Eells and his associates, or successors, designate a suitable place upon the said Diamond Shoal where the water is at least 24 feet in depth, mean high tide, for the site of the said structure, upon which site the said structure shall be placed and be in good faith completed as soon as shall be reasonably practicable; and the Secretary of Commerce and Labor may at any time after January 1, 1907, after hearing, determine within what period thereafter the said structure must be ready for the installation of the light and other equipment therein.

That the said structure shall have a base of at least 100 feet in diameter, and shall in all its parts be substantially and securely constructed and braced, and shall extend a sufficient height so that the light to be placed thereon shall be at least 150 feet above mean high tide. The Secretary of Commerce and Labor shall prescribe what parts of said structure shall be painted, of what material, and in what color or colors.

That the said Eells and his associates shall make their own plans for the construction of that part of the structure below the line 30 feet above high-water mark and the plans for that part of the structure above the said line shall substantially conform to the specifications contained in the letter from D. W. Lockwood, lieutenant-colonel, Corps of Engineers, United States Army, secretary of the Light-House Board of the Department of Commerce and Labor, to the chairman of the Committee on Interstate and Foreign Commerce of the House of Representatives, dated February 3, 1904, except as to the brick lining specified, and in lieu thereof the floors shall be supported by metal framework designed by said Eells, and except as herein further modified.

Said structure, including lantern, and watch, service, boat, and other rooms, must conform to the standards required in the Light-House Service.

Any changes or modification in design or construction, which may hereafter appear to be necessary by either the Light-House Board or the said Eells, may be made by consent of both parties.

During the progress of the construction of said structure the same will be inspected under the direction of the Secretary of Commerce and Labor, who will pass upon all materials and workmanship, and any part of either which is not in accordance with the usual specifications of the Light-House Board must be satisfactorily replaced by the said Eells or his associates, the expense of inspection, other than quarters and board of inspector hereinafter otherwise provided for, to be paid from the general appropriations for the Light-House Service. The said Eells or his associates shall furnish suitable quarters and board for the inspector designated by the Secretary of Commerce and Labor when employed at the site of the structure and transport him to and from the same and from and to the mainland when necessary.

That the Secretary of Commerce and Labor shall prescribe the class or kind of light to be placed in the lantern of said structure and cause the lens and equipment for said structure, which shall be paid for from appropriations to be hereafter made for that purpose by Congress, to be furnished at the expense of the United States, at the light-house depot, Tompkinsville, N. Y., to the said Eells and his associates, or successors, upon demand, when the said structure shall be sufficiently completed to permit of their installation. The said Eells and his associates or successors shall transport the above to the site of the structure and install same under the direction of the Secretary of Commerce and Labor.

That when the said light station shall have been completed in accordance with the conditions herein specified and be ready to be lighted the Secretary of Commerce and Labor shall prescribe the manner in which the light shall be exhibited and the said light station be operated, and thereupon the said Eells and his associates, or successors, are authorized and required to operate the said light station in accordance with the said directions of said Secretary and the regulations of the Light-House Board for a period of one year, and at the cost and expense of said Eells and his associates and successors. That at the expiration of said period of one year, the said light station shall be delivered to the United States and shall be placed under the control of the Light-House Board, to operate the said light station in accordance with such regulations as may be prescribed by said Board and at the expense of the United States for a period of four years: *Provided*, That if at any time after the installation of the lens and equipment in said structure the Secretary of Commerce and Labor shall find said structure to be insecure he shall cause said lens and equipment to be removed therefrom, and if such removal is practicable without unreasonable expense or peril to life, and the United States shall not thereafter use the said structure. That at the expiration of five years after the date when the said light station shall have been completed and lighted, and which period shall embrace the one year during which the said light station shall have been operated by said Eells and his associates, or successors, if the said structure shall be in a substantial and secure condition and in all respects sufficient for the purpose of a light-house at the place where located, such fact shall be so certified by the Secretary of Commerce and Labor, and then and in such event the said Eells and his associates, or successors, assigns, or legal representatives, shall be authorized to demand from the United States the sum of \$750,000 and shall thereafter be free from responsibility incident to said structure and the said light station shall thereupon become part of the permanent light-house establishment of the United States: *Provided*, That if the said Eells and his associates, or successors, shall fail to construct the said structure in accordance with the terms hereof, or shall fail to operate the same for one year, or if at the end of said period of five years the said structure shall not be in a substantial and satisfactory condition as hereinbefore provided, then and in any or either such event, neither the said Eells and his

associates, nor any of them, nor their or either of their successors or assigns, nor the heirs, successors, or legal representatives of any of them, or of their successors or assigns, shall be entitled to demand or receive from the United States any compensation whatever, in whole or in part, by reason of any act or acts done in pursuance hereof.

Mr. LLOYD. Mr. Speaker, has this bill been reported from any committee?

Mr. SMALL. Mr. Speaker, I would say in answer to the gentleman that the bill has the unanimous report of the Committee on Interstate and Foreign Commerce.

The SPEAKER. The question is on the engrossment and third reading of the substitute.

The bill in the nature of a substitute was ordered to be engrossed and read a third time; read the third time, and passed.

On motion of Mr. SMALL, a motion to reconsider the last vote was laid on the table.

The title was amended to read as follows:

A bill to amend the act entitled "An act to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras," approved April 28, 1904.

DIRECTORS OF NATIONAL BANKING ASSOCIATIONS.

Mr. BURKE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 7065) to amend section 5146 of the Revised Statutes of the United States, in relation to the qualifications of directors of national banking associations, which I send to the desk. I will state that the bill has been read.

The SPEAKER. The gentleman from South Dakota asks unanimous consent for the present consideration of the bill of which the Clerk will report the title.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection?

Mr. LLOYD. Mr. Speaker, has this bill been considered by any committee of the House?

Mr. BURKE. Mr. Speaker, I will state that this bill has been unanimously reported by the Committee on Banking and Currency, has the approval of the Department, and has already passed the Senate.

The bill changes existing law only by making a stockholder holding five shares of stock eligible to directorship when the capital of the bank is \$25,000.

Mr. ROBINSON of Indiana. I did not quite understand the gentleman, but my understanding is that it changes no law with reference to the qualification of bank directors except to make it apply to banks of capitalization of \$25,000.

Mr. BURKE. That is all.

Mr. SULZER. How much stock must they hold now?

Mr. BURKE. Ten shares.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

On motion of Mr. BURKE, a motion to reconsider the last vote was laid on the table.

The bill is as follows:

*Be it enacted, etc.*, That section 5146 of the Revised Statutes of the United States be so amended as to read as follows:

"SEC. 5146. Every director must, during his whole term of service, be a citizen of the United States, and at least three-fourths of the directors must have resided in the State, Territory, or District in which the association is located for at least one year immediately preceding their election, and must be residents therein during their continuance in office. Every director must own in his own right at least ten shares of the capital stock of the association of which he is a director, unless the capital of the bank shall not exceed \$25,000, in which case he must own in his own right at least five shares of such capital stock. Any director who ceases to be the owner of the required number of shares of the stock, or who becomes in any other manner disqualified, shall thereby vacate his place."

G. W. HARDY AND JOSEPH LARD.

Mr. BYRD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5245) to indemnify G. W. Hardy and Joseph Lard, of Scott County, Miss., for homestead lands by granting other lands in lieu thereof, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That there is hereby granted to G. W. Hardy and Joseph Lard, Scott County, Miss., each 80 acres of the unreserved public land of the United States in the State of Mississippi, such as they shall, respectively, select and notify to the Secretary of the Interior, in subdivisions not less than 40 acres, the same to be in lieu of land held by them but awarded by the General Land Office to the Alabama and Vicksburg Railroad Company.

SEC. 2. That such selection shall not be made of any land lawfully held by any other person at the time of such selection as a homestead entry, or to which any other person shall have at such time any lawful claim.

SEC. 3. That immediately upon the notification to the Secretary of the Interior it shall be the duty of the Secretary of the Interior to immediately issue patent or patents, as the case may be, to said G. W. Hardy and Joseph Lard, respectively, for the lands so selected and notified.

SEC. 4. That this act shall take effect and be in force from and after its passage.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

On motion of Mr. BYRD, a motion to reconsider the last vote was laid on the table.

#### BADGE OF THE ARMY AND NAVY UNION.

Mr. WANGER. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution No. 6.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of a House joint resolution, which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 6) relating to the badge of the Army and Navy Union.

*Resolved, etc.*, That the distinctive badge adopted by the Army and Navy Union of the United States may be worn in their own right upon all public occasions of ceremony by officers and enlisted men of the Army and Navy of the United States who are members of said organization; and all persons who are not members of said organization are hereby prohibited from wearing said badge at any and all times.

The amendment was read, as follows:

Strike out all after the enacting clause and insert the following:

"That the joint resolution of May 11, 1894 (28 Stat. L., p. 583), be, and the same is hereby, amended by changing the name and title therein described from 'Regular Army and Navy Union of the United States' to 'Army and Navy Union of the United States of America,' and that the organization so last entitled shall have all the rights and privileges conferred by and described in said joint resolution of May 11, 1894."

The SPEAKER. Is there objection?

Mr. LLOYD. There is so much confusion we do not understand it, and I would like an explanation of the resolution. I reserve the right to object while that is being done.

Mr. WANGER. Mr. Speaker, in 1894 Congress authorized the members of the Regular Army and Navy Union of the United States who were members of the Army, Navy, and Marine Corps to wear the distinctive badge of that organization upon occasions of ceremony. Since that time the name of the organization has been slightly changed. The purpose of this resolution is to amend the statute, so that the name will conform to the present name of the organization.

Mr. LLOYD. That is all there is in it?

Mr. WANGER. That is all there is in it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was read the third time, and passed.

A motion by Mr. WANGER to reconsider the last vote was laid on the table.

#### MEDALS, ETC., TO TROOPS, ETC., WHO VOLUNTEERED THEIR SERVICES IN 1863, ETC.

Mr. SULZER. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of House joint resolution No. 52, and that the same be now passed.

The SPEAKER. The gentleman from New York asks unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of House joint resolution No. 52, and that the same be now passed. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 52) for the purpose of carrying out the provisions of General Orders, No. 195, War Department, June 29, 1863, for the presentation of medals.

*Resolved, etc.*, That the sum of \$5,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of carrying out the provisions of General Orders, No. 195, War Department, Adjutant-General's Office, Washington, D. C., June 29, 1863, and which reads as follows:

"The Adjutant-General will provide an appropriate medal of honor for the troops who, after the expiration of their term, have offered their services to the Government in the present emergency, and also for volunteer troops from other States that have volunteered their temporary services in the States of Maryland and Pennsylvania.

"By order of the Secretary of War:

"E. TOWNSEND,  
Assistant Adjutant-General."

Sec. 2. That such medals, in case of the death of the soldier entitled thereto, shall be given to such member of his family as the President may select.

Sec. 3. That the medal so provided shall be different in form from the Congressional medal of honor for most distinguished gallantry in action. In case such Congressional medal of honor shall have been already presented for service mentioned in this resolution only, and not specifically for any act of bravery performed by such soldier in action, then such medal shall be returned or its loss accounted for to the Secretary of War before the medal hereby authorized shall be presented to such soldier or his family.

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Mr. LLOYD. Mr. Speaker, reserving the right to object, I would like to have an explanation.

Mr. BARTLETT. Mr. Speaker, a parliamentary inquiry. I desire to know whether the request is to discharge the Committee of the Whole from the consideration of this bill. This bill is evidently on the Union Calendar.

The SPEAKER. Yes; that is the request.

Mr. SULZER. Mr. Speaker, this resolution was unanimously reported from the Committee on Military Affairs. All that does is to carry out General Orders, No. 195, of the War Department, made on June 29, 1863, which read as follows:

GENERAL ORDERS, No. 195.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
Washington, June 29, 1863.

The Adjutant-General will provide an appropriate medal of honor for the troops who, after the expiration of their term, have offered their services to the Government in the present emergency, and also for the volunteer troops from other States that have volunteered their temporary service in the States of Maryland and Pennsylvania.

By order of the Secretary of War:

E. D. TOWNSEND,  
Assistant Adjutant-General.

The resolution authorizes medals to be presented to the troops named therein, with a proviso that in case of death of the soldier it shall be given to such member of his family as the President may select, and that \$5,000 be appropriated to carry the resolution into effect. The Assistant Secretary of War, in a communication addressed to the committee, says:

It would seem as though no possible objection could be made to the carrying out of General Orders, No. 195, quoted in the resolution, but that it should be greatly regretted that the carrying out of said order should have been so long delayed. This order was in the nature of a distinct promise, amounting to a contract, and it certainly should be fulfilled on the part of the Government.

In this dark hour of the war, when Maryland and Pennsylvania were invaded, the veteran troops who offered their services to the Government and remained in the service after their enlistment had expired, as well as the volunteer troops of other States who thronged to the defense of those that were invaded, appeared to the Government to be deserving, and I think it a matter of honor that this order should be carried out.

These men went to the front in an emergency. They served about six weeks. They get no pension, and they were promised by the Government that they should get this medal. It was a sacred promise. Thus far the Government has been unable to give these men the medals because Congress did not appropriate the money to purchase the medals. This bill simply appropriates the money, \$5,000, so that the Government can have these medals made and give them to these patriotic soldiers.

Mr. MADDOX. Who made this promise?

Mr. SULZER. The War Department.

Mr. MADDOX. Made by whom?

Mr. SULZER. I suppose by the President and Secretary of War.

Mr. MADDOX. Promised to give them a medal?

Mr. SULZER. Yes. They received no compensation. They volunteered and never received a dollar, as I am informed, from the Government, and can not get a pension and do not want a pension. This is all that they can receive, this little medal, and I trust no Member of this House will object to this joint resolution.

Mr. LLOYD. How does this bill get from the Union Calendar?

The SPEAKER. The request is that the Committee of the Whole House be discharged from further consideration of this bill, and that the bill be now considered in the House as in Committee of the Whole House, but a single objection, of course—

Mr. SULZER. I hope and trust there will be no objection. I appeal to all my friends and to every Member. This is a fair, just, and meritorious matter.

Mr. LLOYD. Is this a unanimous report?

Mr. SULZER. Yes; the resolution was unanimously reported from the Committee on Military Affairs.

Mr. BARTLETT. Mr. Speaker, the gentleman speaks about medals, and I did not catch what sort of medals were to be given these people. For what sort of services is it to be given them?

Mr. SULZER. It is a medal that will be prepared by the War Department.

Mr. BARTLETT. What is it to show? What does it demonstrate? What import does the medal carry?

Mr. SULZER. It is just a medal of honor for heroic services, that is all.

Mr. BARTLETT. It is pretty hard for us to have to pay for that sort of a medal.

Mr. SULZER. These men went to the front in a great emergency, and rendered very important services to the Government



in the darkest hour of the war, and they got no pay for it and they get no pensions. The country promised them this medal, and the promise should be kept. It is a matter of honor—we should keep the promise.

Mr. BARTLETT. Did they enlist in the Army?

Mr. SULZER. Yes; they enlisted in the Army, of course, and went to the front.

Mr. BARTLETT. And got no pay?

Mr. SULZER. No pay, as I understand it.

Mr. BARTLETT. Why not?

Mr. SULZER. Well, they volunteered in a great emergency under a special call in 1863, and after volunteering their services they were promised this medal.

Mr. BARTLETT. What army did they enlist in—that is, what particular portion of it?

Mr. SULZER. They went to Harrisburg, to save that city, just before the battle of Gettysburg. They were merchants and prominent business men, and some of them suffered many hardships and privations.

Mr. BARTLETT. Got no pay? That is a remarkable statement.

Mr. SULZER. They were business men, who came from New York, Pennsylvania, Maryland, and New Jersey. They wanted no pay—no reward but this medal.

Mr. BARTLETT. And they received no pay or no pension? If that is true, it is a remarkable case, and I am sure they ought to have a medal.

Mr. SULZER. Many of these men belonged to the militia of New York, New Jersey, and Pennsylvania.

Mr. BARTLETT. Mr. Speaker, I have been in the House for ten years, and everybody who served in the Army and was entitled to pay seems to have gotten it; and they seem to have received pensions even if they were not on the rolls. It seems to me if the statement of the gentleman from New York [Mr. SULZER] is correct, and I apprehend it is, that these men have never received anything and do not desire anything except a little medal, I think they ought to have it.

Mr. SULZER. I think so, too; hence this resolution.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time; was accordingly read a third time, and passed.

On motion of Mr. SULZER, a motion to reconsider the last vote was laid on the table.

Mr. SULZER. Mr. Speaker, I ask unanimous consent that the report made by me from the Military Committee be printed in the Record. It is a short report.

The SPEAKER. Is there objection?

There was no objection.

The report is as follows:

The Committee on Military Affairs, to whom was referred the joint resolution (H. J. Res. 52) entitled "Joint resolution for the purpose of carrying out the provisions of General Orders, No. 195, War Department, June 29, 1863, for the presentation of medals," beg leave to submit the following report and recommend that said joint resolution do pass.

This is a joint resolution reciting General Orders, No. 195, which read as follows:

GENERAL ORDERS, No. 195.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
Washington, June 29, 1863.

The Adjutant-General will provide an appropriate medal of honor for the troops who, after the expiration of their term, have offered their services to the Government in the present emergency, and also for the volunteer troops from other States that have volunteered their temporary service in the States of Maryland and Pennsylvania.

By order of the Secretary of War.

E. D. TOWNSEND,  
Assistant Adjutant-General.

The resolution authorizes medals to be presented to the troops named therein, with a proviso that in case of death of the soldier it shall be given to such member of his family as the President may select, and that \$5,000 be appropriated to carry the resolution into effect.

The honorable Assistant Secretary of War, in a communication addressed to the committee, says:

"It would seem as though no possible objection could be made to the carrying out of General Orders, No. 195, quoted in the resolution, but that it should be greatly regretted that the carrying out of said order should have been so long delayed. This order was in the nature of a distinct promise amounting to a contract, and it certainly should be fulfilled on the part of the Government."

In this dark hour of the war, when Maryland and Pennsylvania were invaded, the veteran troops who offered their services to the Government and remained in the service after their enlistment had expired, as well as the volunteer troops of other States who thronged to the defense of those that were invaded, appeared to the Government to be deserving, and your committee think it a matter of honor that this order should be carried out.

The committee herewith annex information on the subject by which it appears that the satisfaction of this resolution will fulfill all unfulfilled promises by the Government to grant medals.

In view of that fact this is the only bill on that subject which the committee have felt justified in reporting favorably to the House.

On June 15, 1863, Lee's army entered Pennsylvania. General Couch, the commander of the Department of the Susquehanna, then had, as he states in his official report, less than 250 organized troops for duty in his department.

Lee's army was flushed with the victory of Chancellorsville and confident of success. The Army of the Potomac was far in its rear. Voluntary recruiting at the North had practically stopped, although large bounties were being offered. A draft was about being ordered, and in fact was made early in July.

On June 15 Secretary Stanton appealed to Governor Seymour, of New York, stating that "General Lee, with his whole army, was moving forward to invade the States of Pennsylvania, Maryland, and other States, and that it was important to have the largest possible force in the least time," and asking him if he would not immediately forward 20,000 militia as volunteers without bounty, or what number he could possibly raise. This appeal was supplemented by another from Governor Curtin, of Pennsylvania, to Governor Seymour, stating that "the enemy is now in Cumberland Valley in large forces; the danger is imminent," and urging him to forward all troops to Harrisburg without delay. Orders for immediate departure to the front were issued by Governor Seymour to the national guard of the State on the day these telegrams were received, and on June 16 he telegraphed the Secretary of War that "about 12,000 men were now on the move for Harrisburg in good spirits and well equipped." The number of national guardsmen sent in twelve days to the relief of Harrisburg was 12,091. The total number sent between June 15 and July 3 was 13,971. The following is the official list of regiments that were sent:

Regiment.	Commander.	Location.	Date of departure.	Strength
Fourth.....	Col. Daniel W. Teller.....	New York City	June 20	500
Fifth.....	Col. Louis Burger.....	do	June 19	828
Sixth.....	Col. Joel W. Mason.....	do	June 22	656
Seventh.....	Col. Marshall Lefferts.....	do	June 17	650
Eighth.....	Col. Joshua M. Varian.....	do	June 18	371
Eleventh.....	Col. Joachim Maidhoff.....	do	do	762
Twelfth.....	Col. William G. Ward.....	do	June 19	684
Thirteenth.....	Col. John B. Woodward.....	Brooklyn	June 20	495
Seventeenth.....	Lieut. Col. John P. Jenkins.....	White Plains	July 3	400
Eighteenth.....	Col. James Ryder.....	South East	do	400
Twenty-first.....	Col. Joseph Wright.....	Poughkeepsie	June 27	600
Twenty-second.....	Col. Lloyd Aspinwall.....	New York City	June 19	568
Twenty-third.....	Col. Wm. Everdell, jr.....	Brooklyn	June 18	626
Twenty-eighth.....	Col. Michael Bennett.....	do	June 20	484
Thirty-seventh.....	Col. Charles Roome.....	New York City	June 19	693
Forty-seventh.....	Col. Jere. V. Meserole.....	Brooklyn	June 26	400
Fifty-second.....	Col. Mathias W. Cole.....	do	June 22	351
Fifty-fifth.....	Col. Eugene LeGal.....	New York City	June 24	350
Fifty-sixth.....	Col. David M. Talmadge.....	Brooklyn	June 20	476
Sixty-fifth.....	Col. Jacob Kretzner.....	Buffalo	June 19	555
Sixty-seventh.....	Col. Chauncey Abbott.....	East Hamburg	June 23	400
Sixty-eighth.....	Col. David S. Forbes.....	Fredonia	June 24	400
Sixty-ninth.....	Col. James Bagley.....	New York City	June 22	600
Seventy-first.....	Col. Benj. L. Trafford.....	do	June 18	737
Seventy-fourth.....	Col. Watson A. Fox.....	Buffalo	June 19	504
Eighty-fourth.....	Col. Fred. A. Conkling.....	New York City	July 3	480
Total.....				13,971

In addition to the 13,000 men from New York there was a regiment from New Jersey, a few companies from Maryland, and several regiments of volunteers whose time had expired, but who volunteered for the emergency.

The members of the National Guard regiments left their homes and families upon twenty-four hours' notice, without bounty and without previous training to harden them for field service. They did this with full knowledge that they would have to immediately face the veteran army of Lee, by which they would be outnumbered 10 to 1. Their only hope was to be able to arrest its advance on the line of the Susquehanna until the Army of the Potomac could overtake it. Yet they responded unhesitatingly and with full ranks.

So desperate was the situation that the War Department issued the following order:

GENERAL ORDERS, No. 195.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
Washington, June 29, 1863.

The Adjutant-General will provide an appropriate medal of honor for the troops who, after the expiration of their term, have offered their services to the Government in the present emergency, and also for the volunteer troops from other States that have volunteered their services in the States of Maryland and Pennsylvania.

By order of the Secretary of War:

E. D. TOWNSEND,  
Assistant Adjutant-General.

At the time of the issuing of this order the National Guard of New York, together with the "emergency regiments," which had been raised in Pennsylvania (which, with a few conspicuous exceptions, were hasty levies, almost without military organization), was strung along the Susquehanna, working night and day, throwing up breastworks, fortifying buildings, and preparing to hold that line until the bitter end. That end was then very near, and it was to stimulate them to resist it to the utmost that the promise was made of this medal—a promise only usually made to men about to engage in a desperate service.

On June 22 General Early captured York, about 20 miles south of Carlisle, where he burned the bridge across the Susquehanna. Ewell was then at Carlisle, 15 miles southwest of it. Each of them had nearly 15,000 men, with artillery and cavalry. On June 27 Colonel Rene reported the force at Carlisle alone to be 35 cannon, 2,000 cavalry, and 14,000 infantry (all veterans).

General Lee had given orders to attack Harrisburg on June 30. General Jenkins, of Stonewall Jackson's brigade (Ewell division), had made a reconnaissance on June 28, and on June 29 General Ewell was starting to make the attack. In view of the disparity of forces, there could have been but one result if this attack had been made. With Harrisburg taken, the rebel army would only have been 110 miles from Elmira, would have commanded the railroad system of Pennsylvania, and Philadelphia would have been at its mercy.

The opposition offered by the National Guard regiments was sufficient, however, to hold the Confederates in check just long enough to prevent this disaster and to make Gettysburg the turning point of the rebellion. They began to enter Pennsylvania on June 17, and their presence delayed the attack until June 30. On June 25, 26, and 27 the Army of the Potomac crossed the Potomac. On the 29th its advance compelled Lee to countermand his proposed stroke at Harrisburg and to concentrate against General Meade.

General Ewell's brigade, consisting of the Twenty-second, Thirty-seventh, National Guard of New York, and Landis's battery, Philadelphia, moved out from Harrisburg on June 30 and encountered Jenkins's advance about 3 miles from the Susquehanna, where they had a skirmish, which marks the highest northern point reached by the Confederates. The Confederates fell back, followed by the brigade, which pursued them to Carlisle the next day. Here it was surrounded and shelled all the night of July 1 by Stuart's cavalry, but succeeded in holding the place.

On July 4, 1863, a division composed of the New York troops and some of the Pennsylvania regiments marched in pursuit of Lee to Monocacy Junction. In this they suffered great hardships, their march being mostly through the Blue Ridge Mountains, in very rainy weather, and through a country devastated by the Confederates. They were without a commissariat, and when they joined the Army of the Potomac at Waynesboro about a fifth of Smith's command were without shoes. General Smith's report refers at length to the hardships of his command, and he tendered them his thanks in a published order.

General Meade, in his report of the battle of Gettysburg, makes the following allusion to the arrival of General Smith's division (though he erroneously makes Boonesboro instead of Waynesboro the place where it first joined him):

"It is my duty, as well as my pleasure, to call attention to the earnest efforts at cooperation on the part of Maj. Gen. D. N. Couch, commanding the Department of the Susquehanna, and particularly to his advance of 4,000 men under Brig. Gen. W. F. Smith, who joined me at Boonesboro just prior to the withdrawal of the Confederate army."

Although thirty-seven years have elapsed since the promise of this medal was made it has never been carried out.

Those of the regiments who survive are men in middle life, many occupying influential positions. They volunteered for the arduous service for which they were so suddenly summoned upon this occasion from pure motives of patriotism and without any claim for the bounties which were then being so extensively paid. They regard this medal as of the greatest value, as a recognition of a service which it was their good fortune to render to their country. They have therefore organized a committee representing the different regiments, and earnestly ask that Congress will see that the promise made to them by the country when it needed their help in its hour of trouble is fulfilled, now that it is united and prosperous.

The legislature of New York has by resolution requested that this action be taken.

The War Department has also approved of it "as fulfilling all unfulfilled promises made by the Government to grant medals."

The Assistant Secretary of War further says: "It would seem as though no possible objection could be made to the proper carrying out of General Orders, No. 125, quoted in the resolution, but that it should be greatly regretted that the carrying out of said order should have been so long delayed. This order was in the nature of a distinct promise, amounting to a contract, and it certainly should be fulfilled on the part of the Government."

The resolution has been favorably reported upon by the Military Committee of the House of Representatives of the Fifty-third Congress (Report 1276) and of the Fifty-fourth Congress (Report 1742).

The only objection ever known to have been made to this resolution is that men who served longer and who saw harder service will receive no medals. But the difference is that the medal was not promised to them and was promised to those who now ask that that promise shall be fulfilled.

It is neither desired nor expected that the medal shall be the same as that which is usually known as "the medal of honor," which is awarded only in exceptional cases of individual gallantry. A medal will be satisfactory which will show exactly for what service it was given.

GEORGE W. WINGATE,  
Chairman of Committee.

S. O. HOWE, Secretary.

[Resolutions passed by the New York legislature April 9, 1876.]

Concurrent resolution urging the presentation to the National Guard of the medals promised them by the War Department in the Gettysburg campaign of 1863.

The people of the State of New York, represented in senate and assembly, do enact as follows:

SECTION 1. Resolved (if the assembly concur), That the legislature of the State of New York, on behalf of the 26 regiments, aggregating 14,000 men, of the New York National Guard, who, in June, 1863, without promise of bounty and upon a moment's notice, left their homes, families, and business to undertake the apparently hopeless task of holding the line of the Susquehanna against the largely superior force of Lee's advancing army of Confederate veterans until the Army of the Potomac could overtake them, and who gallantly performed that duty, earnestly indorse the joint resolution offered in the House of Representatives by Hon. Lemuel H. Quigg, providing for the presentation to these troops of the medals which were promised to them by the Secretary of War by General Orders, No. 195, on June 29, 1863.

This promise constitutes a solemn obligation of the Government. It is but a slight acknowledgment of the services in return for which it was made, and there should not be any further delay in fulfilling, in times of peace and prosperity, what the nation, in her hour of peril, promised to those who then sprang to defend her.

SEC. 2. Resolved (if the assembly concur), That an official copy of these resolutions be transmitted to each House of Congress.

In 1863, when General Lee invaded Pennsylvania and the national capital was threatened, and large bounties were being offered and paid to those who would enlist, Secretary of War Stanton, on June 15, appealed to Governor Seymour for aid, asking, if possible, for 20,000 militia as volunteers without bounty to assist in driving Lee's army of veterans out of that State.

Governor Seymour in turn appealed to the National Guard regiments, and 13,971 men promptly responded, almost if not all of them supplying their own uniforms, which, by the way, on account of the rough service required during the Gettysburg campaign, were ruined, and the Government did not reimburse us for them.

We need not dwell upon the history of that campaign. It is too well

known to the whole world to require comment, and is generally admitted that these extra men promptly supplied help to save the day and made possible the victory at Gettysburg.

Later in the month the War Department issued the following order: GENERAL ORDERS, No. 195.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
Washington, June 29, 1863.

The Adjutant-General will provide an appropriate medal of honor for the troops who, after the expiration of their term, have offered their services to the Government in the present emergency, and also for the volunteer troops from other States that have volunteered their temporary service in the States of Pennsylvania and Maryland.

By order of the Secretary of War:

E. D. TOWNSEND,  
Assistant Adjutant-General.

No medals have ever been issued under that order. Why? Simply because no money was provided for the purpose. Is that a proper reason for a rich Government to give for failing to fulfill its pledge to soldiers who risked and in many instances gave their lives in this particular service?

The following letter is offered as proof of the above statement:

RECORD AND PENSION OFFICE, WAR DEPARTMENT,  
Washington, February 19, 1895.

Respectfully returned to Hon. Joseph J. Little, Nos. 2 to 20 Astor place, New York City, inclosing a copy of General Orders, No. 195, from this Department, dated June 29, 1863.

It is proper to state that no medal was adopted or procured in compliance with the orders mentioned for the reason that no money was provided for obtaining such medals.

By authority of the Secretary of War:

F. C. AINSWORTH,  
Colonel, U. S. Army, Chief of Office.

Some years ago a movement was inaugurated looking to secure the fulfillment of the pledge of the Government. A committee was appointed, of which Gen. George W. Wingate was chairman, and a suitable resolution was introduced in Congress by Mr. Quigg, of this city, which is known as House resolution No. 145; but either it was not properly represented or was not thoroughly understood, and, being toward the end of the session, failed to pass.

Later, namely, January 16, 1900, Senator DEFEW introduced a joint resolution, known as "Senate resolution No. 68," but nothing came of that. No doubt Senator DEFEW will willingly help now at that end of the Capitol in securing the adoption of this resolution.

There are many reasons why action on General Orders, No. 195, ought to be taken by the Government, but we will be content with mentioning one, as all the rest are subordinate to it.

Because it was a solemn pledge of the Government made to soldiers as a reward for meritorious services performed in the field at a critical point in the progress of the war; that it was made by an official order of the War Department, and that it is the only unfulfilled pledge of the Government regarding medals to soldiers.

Perhaps proof may be required of this. Here it is:

Remember that Hon. J. A. T. HULL was chairman of the Committee on Military Affairs in the House of Representatives in the Fifty-fourth Congress when this action referred to was pending, and he was originally opposed to the resolution because he was opposed to granting medals so long after the war; but his letter printed below clearly indicates that he did not understand that the resolution simply asked for the fulfillment of a pledge of the Government made long before; the proposed recipients having faithfully performed the service necessary to entitle them to its fulfillment.

The letters here following are in reply to letters written asking for information and aid:

COMMITTEE ON MILITARY AFFAIRS,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C., April 21, 1896.

DEAR SIR: Your favor of the 20th instant received. The matter of medals has been referred to the War Department, and the report is favorable for the resolution introduced by Mr. Quigg. Of course it is hard to understand why the Adjutant-General of the Army did not immediately fulfill his own promises in place of letting matters drift for thirty-five years. We are overwhelmed with applications for medals for every organization, and it is so long since these matters were promised that I am very loathe to commence passing the bills now. However, as I have referred to the War Department and have heard there is a pledge in this case, I shall not longer oppose it.

I suppose the matter will be taken up to-day and passed upon.

I am, very truly, yours,

J. A. T. HULL.

Hon. JOSEPH J. LITTLE, New York.

Had the supposition of the honorable Mr. HULL been realized, there would be no necessity for this resolution.

In asking for these medals we rely upon the fact that the soldiers performed the service required and the Government should keep its pledge to the soldiers who served it in its time of need.

The following letter from the Secretary of War in 1896 states that this is the only unfulfilled pledge of the Government regarding medals, so the passage of this resolution does not open the doors for other demands.

WAR DEPARTMENT,  
Washington, D. C., April 27, 1896.

MY DEAR MR. LITTLE: Acknowledging the receipt of your letter of the 13th instant, urging a favorable report upon House resolution No. 145, which you state has been referred to this Department by the Hon. N. M. Curtis, of the House Committee on Military Affairs, I beg to state that on the 6th instant the honorable Mr. Curtis referred to this Department several bills, together with the joint resolution mentioned above, providing for the issue of medals of honor to the members of various military organizations, and on the 14th instant the bills were returned with report that so far as known to the Department the passage of House resolution No. 145 would fulfill all unfulfilled promises made by the Government to grant medals.

Very respectfully,

DANIEL S. LAMONT, Secretary of War.

Hon. JOSEPH J. LITTLE,  
Nos. 2 to 20 Astor Place, New York, N. Y.

ALASKA CENTRAL RAILWAY.

Mr. FOSS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 18636; and I ask unanimous consent that the bill be not read, but in its place



the substitute, which was reported unanimously by the committee, and which embodies all of the recommendations of the Department.

The SPEAKER. The gentleman from Illinois [Mr. Foss] asks unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill which the Clerk will report, and that the bill be considered in the House at this time. Is there objection?

Mr. LLOYD. Mr. Speaker, reserving the right to object, I would like to have the bill explained. I do not object to its reading.

The SPEAKER. The Clerk will report the title.  
The Clerk read as follows:

A bill (H. R. 18636) to extend the time for the completion of the Alaska Central Railway, and for other purposes.

Mr. LLOYD. Mr. Speaker, I think in order to get that information we will have to insist upon the reading of the bill or have an explanation of it, one or the other.

The SPEAKER. Without objection, the Clerk will report the substitute for the bill.

Mr. LLOYD. Mr. Speaker, I do not object to the reading of the substitute, but reserve the right to object.

The SPEAKER. The Clerk will report the substitute.

The Clerk read the substitute.

The SPEAKER. Is there objection?

Mr. THAYER. Mr. Speaker, I object.

Mr. FOSS. Mr. Speaker, I hope the gentleman from Massachusetts [Mr. Thayer] will reserve his objection until he hears an explanation.

The SPEAKER. The bill has been read and the gentlemen can consider it with each other, if they desire.

#### CAT ISLAND, GULF OF MEXICO.

Mr. DAVEY of Louisiana. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4372.

The SPEAKER. The gentleman from Louisiana [Mr. Davey] asks unanimous consent for the present consideration of the bill of which the Clerk will report the title.

The Clerk read as follows:

An act (S. 4372) for the relief of H. Gibbes Morgan and other coowners of Cat Island, in the Gulf of Mexico.

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, reserving the right to object, I would ask if this is a unanimous report of the committee?

Mr. DAVEY of Louisiana. Mr. Speaker, it is a unanimous report of the committee, and is also indorsed by the chairman of the Committee on Public Lands.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the claim of Juan Cuevas, otherwise called Juan de Cuevas, John Qualve, or Qualvie, under the permit from the Spanish commandant at Mobile, dated August 1, 1781, to Cat Island, in the Gulf of Mexico, in its entirety, except as to the lands herein-after described, be, and the same is hereby, confirmed in him and his legal representatives claiming the same through and under him, the said Cuevas, and that a patent issue accordingly in the name of said original claimant: *Provided, however,* That nothing in this act contained shall in any manner impair the right or title of the Government in or to that portion of said Cat Island to which the Government obtained title by deed from John and Mary Cuevas November 22, 1830, and on which Cat Island light-house is now situated; and this confirmation of said claim or title of said Cuevas or his legal representatives to said Cat Island is upon condition that the legal representatives of said Juan Cuevas claiming the same through or under him shall convey to the United States, by good and sufficient deed, all that portion of Cat Island described as an excepted part thereof in Executive order of October 25, 1895, and lying between a north and south line 1,000 feet to the east of the easternmost corner of Cat Island light-house and the western part of the island.

SEC. 2. That this act take effect and be in force from and after its passage.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time; was accordingly read a third time, and passed.

On motion of Mr. DAVEY of Louisiana, a motion to reconsider the last vote was laid on the table.

#### LIFE-SAVING STATION AT NOME, ALASKA.

Mr. HUMPHREY of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill (S. 2692) to establish a life-saving station at Nome, Alaska.

The SPEAKER. The gentleman from Washington [Mr. Humphrey] asks consent for present consideration of the Senate bill which the Clerk will report.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized to establish a life-saving station at Nome, Alaska, at such point as the General Superintendent of the Life-Saving Service may recommend, the life-saving boats and apparatus placed there under

the authority of the act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1902, to form a part of the equipment of said station.

SEC. 2. That the thirteenth life-saving district is hereby extended to include the coast of Alaska.

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, reserving the right to object, I would ask if this is a unanimous report of the committee?

Mr. HUMPHREY of Washington. Yes, sir.

Mr. MANN. Mr. Speaker, I wish to reserve the right to object. I desire to ask the gentleman from Washington [Mr. HUMPHREY] whether he thinks this life-saving station will be needed in view of the provision that was passed in the river and harbor bill yesterday?

Mr. HUMPHREY of Washington. That might help some about getting in there.

Mr. MANN. But the gentleman thinks it might still be needed?

Mr. HUMPHREY of Washington. Yes, sir.

Mr. MANN. Mr. Speaker, I make no objection.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time; was accordingly read the third time, and passed.

#### BRIDGES ACROSS ASHLEY RIVER, SOUTH CAROLINA.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 18906.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of a bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 18906) authorizing the construction of two bridges across the Ashley River, in the counties of Charleston and Dorchester, S. C.

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Reserving the right to object, I will ask the gentleman if the bill is unanimously reported by the committee?

Mr. ADAMSON. Yes, sir.

Mr. WILLIAMS of Mississippi. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was reported at length.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### ELECTION OF PUBLIC OFFICIALS IN HAWAII.

Mr. SPALDING. Mr. Speaker, I am directed by the Committee on Territories to ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 18641) to amend section 80 of "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

The SPEAKER. Without objection, the amendment reported in the nature of a substitute will be read instead of the original bill.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following: "That section 56 of an act of the Congress of the United States of America entitled 'An act to provide a government for the Territory of Hawaii,' approved April 30, 1900, be, and the same is hereby, amended by the addition of the following: 'and all officials thereof shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislature of the Territory.'"

"SEC. 2. That section 80 of the aforesaid act is hereby amended by the addition of the following: 'Provided, however, That nothing in this section shall be construed to conflict with the authority and powers conferred by section 56 of this act as herein amended.'"

"SEC. 3. That this act shall take effect and be in force from and after its passage."

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I understand this bill meets the approbation of the entire Committee on Territories, and I shall not object.

Mr. SPALDING. It is the unanimous report of the committee.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment in the nature of a substitute was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. SPALDING, a motion to reconsider the vote by which the bill was passed was agreed to.

The title was amended so as to read:

A bill to amend sections 56 and 80 of "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

TRANSFER OF LAND CLAIMS.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 6757, to amend section 2288 of the Revised Statutes of the United States.

The bill was read, as follows:

*Be it enacted, etc.,* That section 2288 of the Revised Statutes be amended so as to read as follows:

"Sec. 2288. Any bona fide settler under the preemption, homestead, or other settlement law shall have the right to transfer, by warranty against his own acts, any portion of his claim for church, cemetery, or school purposes, or for the right of way of railroads, telegraph, telephone, canals, reservoirs, or ditches for irrigation or drainage across it; and the transfer for such public purposes shall in no way vitiate the right to complete and perfect the title to his claim."

The SPEAKER. Is there objection?

Mr. MADDOX. Reserving the right to object, I think I will demand the regular order.

The SPEAKER. The gentleman from Georgia [Mr. MADDOX] demands the regular order.

EXECUTIVE REGISTER OF THE UNITED STATES.

Mr. CHARLES B. LANDIS. Mr. Speaker, I call up for present consideration the resolution which I send to the desk.

The Clerk read as follows:

Senate concurrent resolution 86.

*Resolved, etc.,* That there be printed from existing stereotype plates and bound in cloth 1,500 copies of the Executive Register of the United States, 1789 to 1902, of which 500 copies shall be for the use of the Senate and 1,000 copies for the use of the House of Representatives.

Mr. MADDOX. We can not hear what that was.

The SPEAKER. The Chair can recognize, but can not furnish ears.

Mr. MADDOX. We can ask for order. Then I will ask the gentleman to tell us what it is.

Mr. CHARLES B. LANDIS. It is the publication of a volume which gives the arrangement of all the Presidents and their Cabinets, including a record of the date of their nomination, confirmation, and entrance upon their duties and termination of the services of Cabinets and Presidents from the foundation of the Government down to the present time.

Mr. MADDOX. We had that up once before, I believe.

Mr. CHARLES B. LANDIS. That was a request for unanimous consent; but it is privileged, and is now presented as a privileged matter.

Mr. MADDOX. It was opposed rather strenuously then. I am not opposed to it, however.

Mr. CHARLES B. LANDIS. It was not very strenuously opposed.

Mr. WILLIAMS of Mississippi. I understand this to be a publication of the names of the Presidents and the Cabinet officers from the beginning of the Government down to date?

Mr. CHARLES B. LANDIS. Yes, sir. It is the only publication of the kind in existence, and is a valuable publication, so considered.

Mr. WILLIAMS of Mississippi. Does the gentleman think this publication contains any information that can not be gotten to-day in any tolerably full history of the United States?

Mr. CHARLES B. LANDIS. Well, it could be, but there is in the volume compiled some very valuable information, as I understand, which could not be secured except after considerable research.

Mr. WILLIAMS of Mississippi. What is there outside of the times of the Presidents and their Cabinet officers, and the dates of their appointments and their commissions?

Mr. CHARLES B. LANDIS. Well, there are the laws governing their appointments and qualifications and official duties, and the first act providing for the Executive Departments; also the electoral and popular vote at each election, the terms of the various Presidents, the provisions of the Constitution, and the act of Congress governing their election, qualification, and terms, and filling of the vacancies in the Presidency and Cabinets.

There are also included the official proceedings that were had when a President died in office and was succeeded by the Vice-President; and as an appendix, literal copies of the Declaration of Independence, the Articles of Confederation, and the Constitution, with the arrangement of signatures preserved as they appear upon the originals in the rolls of the Department of State. It is really a meritorious publication.

Mr. LITTLEFIELD. Does this include the illuminated Declaration of Independence?

Mr. CHARLES B. LANDIS. No.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, if I have the floor—

The SPEAKER. Does the gentleman from Indiana yield to the gentleman from Mississippi?

Mr. CHARLES B. LANDIS. I do.

Mr. WILLIAMS of Mississippi. I want to say this in this connection: There has been a great deal of complaint, and some of it, I understand, from the other end of the Avenue, about the amount of money uselessly expended for public printing. There seems to have been a great abuse in that respect. Now, here is a publication which contains, first, the names of the Presidents and their Cabinet officers, and when and how appointed; second, a reprint of the Constitution of the United States, and the Articles of Confederation, and the Declaration of Independence.

Mr. MANN. The gentleman certainly would not object to the latter. I am sure the gentleman thinks it something that it would be well to have published and to have read on this side.

Mr. LITTLEFIELD. Italicized.

Mr. WILLIAMS of Mississippi. I think so, italicized. I do not know whether the book also contains the Farewell Address of George Washington or not, but in connection with some of the late Santo Dominican escapades of the present Republican Administration it might be well, if that is not contained in the book, to insert it; but I have not heard of a single new thing that is in this book. I have not heard of a thing that is hard for any ordinary student to grub out for himself from something somewhere in print now, although all of it is not collected together in any one book. Now, I shall not object—

Mr. CHARLES B. LANDIS. I will say to the gentleman, Mr. Speaker, that this is a labor-saving proposition, and will save a great deal of grubbing.

Mr. WILLIAMS of Mississippi. Yes.

Mr. CHARLES B. LANDIS. And I will also say to the gentleman from Mississippi, in reply to what he has stated—

Mr. WILLIAMS of Mississippi. I have not finished what I have to say yet. After I have done so, the gentleman may go on. I want to say now that I shall not object—

Mr. CHARLES B. LANDIS. This is privileged and not subject to objection.

Mr. WILLIAMS of Mississippi. I understand. I mean I shall raise no struggle about the matter, because the party in power, that is responsible for useless expenditure, must act for itself upon its own responsibility. But I very much doubt if this is not one of a lot of expenditures for public printing that are either useless or worse than useless. I think myself, from a cursory examination of the work, that it is useless. It will save a little time to students now and then desiring to get certain information all in one book, but it does not furnish any information that a student tolerably familiar with books of reference could not get for himself after a day or two of research.

Mr. LOVERING. Mr. Speaker, I should like to ask the gentleman from Indiana whether he is aware that there is already a publication which includes nearly everything that he has recited in connection with this?

Mr. CHARLES B. LANDIS. I do not think there is any.

Mr. LOVERING. There is one which publishes not only all the conventions that nominated the President, but which contains statistics of all the elections, by Mr. Edward Stanwood, of Boston.

Mr. CHARLES B. LANDIS. That relates to the Presidential elections only.

Mr. LOVERING. It relates to the Presidents and their messages, too.

Mr. CHARLES B. LANDIS. Yes; but this volume that we propose to publish from plates already in existence, which will cost only \$650, contains a complete list of the Cabinets of all the Presidents.

Mr. LOVERING. This book contains the same.

Mr. CHARLES B. LANDIS. And the committee, in its wisdom, thought it would be \$650 well expended.

Mr. LOVERING. I think if the gentleman had seen the book to which I refer he would not have presented this resolution.

Mr. CHARLES B. LANDIS. In reply to the gentleman from Mississippi [Mr. WILLIAMS] relative to expenditures, I will say in this connection that the Committee on Printing have cut down the expenditures for the printing done by special order of Congress more than 50 per cent below the average of the expenditures authorized during the three previous Congresses, and the committee are vain enough to think that that is a fairly good showing to make along the line of economy.

Mr. MANN. We think you have cut it too close.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

OBSEQUIES OF THE LATE REPRESENTATIVE OTIS.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that Sunday, the 26th instant, be fixed as the time when his asso-



clates may express their views on the life and character of the late NORTON P. OTIS.

The SPEAKER. The gentleman from New York asks unanimous consent that on Sunday next there be exercises on the life and character of the late NORTON P. OTIS. Is there objection? There was no objection.

#### PUBLIC CONVENIENCE STATIONS IN DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I desire to submit a conference report on the bill S. 4156, an act for the establishment of public convenience stations in the District of Columbia, to be printed under the rule.

The SPEAKER. The report and statement will be printed under the rule.

#### GEORGE H. BRUSSTAR.

Mr. MIERS of Indiana. Mr. Speaker, I submit a conference report, to be printed under the rule, on the bill (H. R. 17117) granting an increase of pension to George H. Brusstar.

The SPEAKER. The report and statement will be printed under the rule.

#### DIVISION OF WESTERN JUDICIAL DISTRICT OF LOUISIANA.

The SPEAKER laid before the House the bill (H. R. 17579) entitled "An act to create a new division of the western judicial district of Louisiana, and to provide for terms of court at Lake Charles, La., and for other purposes," with Senate amendment. The Senate amendment was read.

Mr. PUJO. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

On motion of Mr. PUJO, a motion to reconsider the last vote was laid on the table.

#### METROPOLITAN POLICE OF THE DISTRICT OF COLUMBIA.

The SPEAKER laid before the House the bill H. R. 7022, on the Speaker's table, entitled "An act to amend section 4 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901, with a Senate amendment.

The Senate amendment was read.

Mr. BABCOCK. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

#### GOVERNMENT OF THE PANAMA CANAL ZONE.

The SPEAKER laid before the House the bill (H. R. 16896) to provide for the government of the Canal Zone, the construction of the Panama Canal, and for other purposes, with Senate amendments.

The Senate amendments were read.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the House disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the House disagree to the Senate amendments and ask for a conference. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. HEPBURN, Mr. MANN, and Mr. ADAMSON.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had further insisted upon its amendments to the bill (H. R. 17473) making appropriations for the support of the Army for the fiscal year ending June 30, 1906, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses, and had appointed Mr. PROCTOR, Mr. ALGER, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10558) referring the claim of Hannah S. Crane and others to the Court of Claims.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 17579. An act to create a new division of the western judicial district of Louisiana and to provide for terms of court at Lake Charles, La., and for other purposes.

#### SUNDAY CIVIL APPROPRIATION BILL.

Mr. HEMENWAY. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the consideration of the sundry civil appropriation bill. And pending that motion, I would like to ask the gentleman from Missouri how much general debate he wants on that side.

Mr. BENTON. Two hours.

Mr. HEMENWAY. Can not the gentleman get along with less than that?

Mr. BENTON. No; I have got that much all farmed out.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent that general debate be limited to four hours and then the reading of the bill begin under the five-minute rule. I now serve notice that I shall ask the House to sit in session until 6 o'clock this afternoon.

The SPEAKER. The gentleman from Indiana asks unanimous consent that general debate be limited to four hours. Is there objection?

There was no objection.

The motion of Mr. HEMENWAY was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SHERMAN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the sundry civil appropriation bill, and the Clerk will report the title.

The Clerk read as follows:

The bill (H. R. 18969) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1906, and for other purposes.

Mr. HEMENWAY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. HEMENWAY. Mr. Chairman, the report on this bill explains it so fully that I will not take the time of the House in going into details. I call the special attention of the House to the limitations on page 5 of the report. Under the head of "Limitations" there are some suggestions made that are probably subject to a point of order. The committee, believing that they will all result in better administration, felt it its duty to call the attention of the House to these items.

As a copy of this report is on the desk of nearly every Member of the House, I will not ask that it be read, but simply ask that it be printed in the RECORD.

The CHAIRMAN. That will be done, without objection.

There was no objection.

The report is as follows:

In presenting the bill making appropriations for sundry civil expenses of the Government for the fiscal year 1906 the Committee on Appropriations submit the following in explanation thereof:

The estimates on which the bill is based will be found in the Book of Estimates submitted to Congress for the fiscal year 1906, amounting to \$66,902,390.52, and in sundry House and Senate documents recommending amounts aggregating \$5,647,221.99, together with the further sum of \$2,001,736 stated by the Chief of Engineers to be required in addition to the regular estimates to meet contract liabilities for river and harbor works, making a total of estimates considered by the committee in the preparation of the bill of \$74,551,348.51.

The bill appropriates \$65,558,880.66, being \$8,992,467.85 less than the regular and supplemental estimates and an excess of \$7,718,669.32 over the appropriations for the current year.

The apparent excess of the accompanying bill over the current appropriations is practically accounted for under three heads of appropriation alone, namely:

Excess required for construction of public buildings under authorized limit of cost and to meet contract obligations therefor.....	\$3,224,339.36
Excess required to meet contract obligations authorized for certain river and harbor works.....	2,571,932.00
Amount required for construction of building for the National Museum and to meet contract obligations therefor authorized by law.....	1,500,000.00
Total.....	7,296,271.36

Other unusual sums carried by this bill and not included in the last sundry civil act are the following:

Toward construction of new building for Department of Agriculture.....	\$700,000
Toward construction of office building for the House of Representatives.....	980,000
Freedmen's Hospital.....	250,000
Hospital buildings for Ellis Island immigrant station.....	250,000
Total.....	2,180,000

The foregoing total sums, \$7,296,271.36 and \$2,180,000, amounting to \$9,476,271.36, are for objects authorized by law and involve, with the exception of the Ellis Island hospital, contract liabilities over which the committee had no discretion other than to provide the sums they have found after careful inquiry to be necessary.

Compared with the appropriations for the current fiscal year, the amounts recommended in the accompanying bill are as follows:

For public buildings, within their present limit of cost, including purchase of additional site for Post-Office Department building, marine hospitals, quarantine stations, annual repairs, heating apparatus, vaults, safes, and locks, and plans therefor, \$8,044,184.34, an increase of \$3,224,339.36.

For the Life-Saving Service, \$1,865,415, an increase of \$23,665.

For current expenses of the Revenue-Cutter Service, \$1,450,000, the same amount as was appropriated for the current year.

For engraving and printing, \$2,900,600, an increase of \$75,000.

For objects under the Smithsonian Institution, including International Exchanges, American Ethnology, Astrophysical Observatory.

National Museum, and National Zoological Park, \$426,080, an increase of \$6,500.

For the construction of National Museum building the sum of \$1,500,000 is recommended as a new item.

For the Interstate Commerce Commission, \$365,000, an increase of \$10,000, which sum is given as an increase from \$65,000 to \$75,000 of the appropriation to enable the Interstate Commerce Commission to keep informed regarding compliance with the act to promote the safety of employees and travelers upon railroads.

For miscellaneous objects under the Treasury Department, \$3,799,965, an increase of \$70,445. Included under this head are items, such as pay of assistant custodians and janitors for public buildings, \$1,300,000; furniture for public buildings, \$400,000; fuel, lights, and water for public buildings, \$1,100,000.

For the quarantine service, \$340,000, an increase of \$5,000.

For the prevention of epidemics the unexpended balance is reappropriated, which sum is estimated to be about \$200,000, together with the additional sum of \$100,000.

For contagious-diseases hospital at the Ellis Island (New York) immigrant station the sum of \$250,000 is recommended as a new item.

For light-houses, beacons, and fog signals, \$482,500, a reduction of \$286,930.

For Light-House Establishment, \$3,704,000, the same amount as was appropriated for the current year.

For Coast and Geodetic Survey, \$851,975, an increase of \$2,850.

For the Bureau of Fisheries, \$651,400, a reduction of \$66,560.

For miscellaneous objects under the Department of Commerce and Labor, including \$600,000 for enforcement of Chinese-exclusion act, \$639,450, the same amount as was appropriated for the current year.

For repairs of Interior Department buildings, \$10,000, a reduction of \$5,000.

For work at the Capitol and for general and special repairs thereto, \$30,000, a reduction of \$2,000.

For construction of the office building for the House of Representatives the sum of \$980,000 is recommended as a new item.

For construction of a power house for the office building of the House of Representatives, the Capitol, Library of Congress, and the Senate office building, \$363,000, an increase of \$233,000.

For improving the Capitol grounds, \$25,000, the same as the amount appropriated for the current year.

For lighting the Capitol and grounds, \$42,500, the same as the amount appropriated for the current year.

For repairs of Court of Claims building the sum of \$7,500 is recommended as a new item.

For expense of collection of revenue from sales of public lands, \$1,102,220, a reduction of \$382,000, including \$375,000 for protecting forest reserves, which is transferred to the agricultural bill.

For surveying the public lands, \$306,480, a reduction of \$130,000.

For the United States Geological Survey, \$1,384,420, an increase of \$296,500.

For the Government Hospital for the Insane, \$362,550, an increase of \$430.

For Freedmen's Hospital building the sum of \$250,000 is recommended as a new item.

For additions to buildings and for a central heating plant for the Columbia Institution for the Deaf and Dumb the sum of \$30,000 is recommended as a new item.

For other miscellaneous objects under the Interior Department, including the Deaf and Dumb Institution, Howard University, national parks, and care of the insane of Alaska, \$191,377, a reduction of \$16,225.

For armories and arsenals, \$281,000, a reduction of \$205,400.

For buildings and grounds in and around Washington, D. C., \$152,850, an increase of \$37,900.

For expenses of the Executive Mansion, \$53,000, a reduction of \$6,000.

For lighting the Executive Mansion and public grounds, \$25,525, the same as the amount appropriated for the current year.

For the Washington Monument, \$11,520, the same as the amount appropriated for the current fiscal year.

For the improvement of rivers and harbors under contract authorizations contained in the river and harbor acts of 1892, 1896, 1899, and 1902, \$10,444,132, an increase of \$2,571,932.

For national cemeteries, headstones, etc., \$294,310, a reduction of \$16,920.

For the construction of buildings at military posts, including the erection of barracks and quarters for the artillery in connection with the adopted policy for seacoast defenses, and for the purchase of suitable sites for the latter, \$1,000,000, a reduction of \$500,000.

For the army general hospital at Washington, the sum of \$200,000 is recommended as a new item.

For land for enlargement of Fort Niagara, N. Y., the sum of \$150,000 is recommended as a new item.

For enlargement of target range at the Presidio of Monterey, Cal., the sum of \$10,000 is recommended as a new item.

For target range for Fort Logan, Colo., the sum of \$6,640 is recommended as a new item.

For enlargement of Governors Island, N. Y., \$100,000, a reduction of \$100,000.

For maintenance of sewer and street system of Fort Monroe, Va., \$8,490.50, an increase of \$398.

For improvement of the Yellowstone National Park, \$133,000, a reduction of \$117,000.

For national military parks, \$183,000, a reduction of \$49,000.

For survey of northern and northwestern lakes, \$100,000, a reduction of \$50,000.

For artificial limbs, \$425,000, an increase of \$305,000.

For protecting the harbor of New York from injurious deposits, \$85,260, an increase of \$12,000.

For other miscellaneous objects under the War Department, including the California Débris Commission, and for support of patients at Providence and Garfield hospitals, the amounts do not differ from the appropriations for the current fiscal year.

For the National Home for Disabled Volunteer Soldiers, \$3,924,459, an increase of \$116,770.

For continuing aid to State and Territorial Homes for the support of disabled volunteer soldiers, \$1,075,000, an increase of \$125,000.

For payments of amounts certified to be due on account of pay of bounty to volunteer soldiers, including volunteers in the war with Spain, \$300,000, a reduction of \$100,000.

For court-house, Washington, D. C., \$5,000, a reduction of \$25,840.

For continuing construction of the penitentiary at Fort Leavenworth, Kans., \$240,000, the same as the amount appropriated for the current fiscal year.

For continuing construction of the penitentiary at Atlanta, Ga., the sum of \$50,000 is recommended as a new item.

For miscellaneous objects under the Department of Justice, \$310,500, a reduction of \$12,500.

For expenses of United States courts, \$6,275,132, an increase of \$174,352.

For Department of Agriculture building the sum of \$700,000 is recommended as a new item.

For marking boundary line between Alaska and Canada the sum of \$65,000 is recommended as a new item.

For demarcation and mapping of the boundary line between the United States and Canada, \$50,000, a reduction of \$50,000.

For the legation building at Peking, China, for which \$50,000 was appropriated in the last sundry civil act, there is recommended \$10,000 for completion of the building and \$20,000 for furnishing the same.

For objects under legislative, \$9,000, a reduction of \$3,500.

For public printing and binding, \$6,330,642.82, the same as the sum appropriated for the current year.

#### HORSES AND VEHICLES.

Legislation has been enacted at this session prohibiting the use of any part of any general appropriation for purchase, maintenance, and driving of horses and vehicles for the official use of any officer of the Government unless the same is authorized by law or is specifically appropriated for by Congress.

Under the operation of this law the necessity for horses and vehicles for the official use of Government officials was presented to the committee in connection with appropriations made in the accompanying bill. The committee gave to the representations made to them the most careful consideration, and as the result of their conclusions they have recommended specific provision, in certain general appropriations, for horses and vehicles for use in the public service, as follows: For the Bureau of Engraving and Printing, the Zoological Park, the Fish Commission, the office of the Superintendent of the Capitol, the Government Hospital for the Insane, the office of Public Buildings and Grounds in Washington, the Executive Office, and the Government Printing Office.

#### LIMITATIONS.

The following limitations touching certain branches of the public service for which appropriations are recommended and not heretofore imposed are submitted in the bill, namely:

On page 15, the following:

"And hereafter, unless otherwise specifically provided by law, whenever the Secretary of the Treasury is authorized to secure temporary quarters for the use of Government officials pending the alteration, improvement, or repairs to, or the remodeling, reconstruction, or enlargement of, any public building belonging to the United States under the control of the Treasury Department, the following-named appropriations shall be available, if necessary, in connection with such portions of the premises as may be rented for or occupied by such officials in the same manner, for the same purpose, and to the same extent as if the title to such premises were vested in the United States, namely: Fuel, lights, and water for public buildings; furniture and repairs of same for public buildings; pay of assistant custodians and janitors; and vaults, safes, and locks for public buildings."

On page 46, in connection with an appropriation for the Coast and Geodetic Survey, the following:

"Provided, That this appropriation be available for the transportation to and from Manila and employment in the office at Washington of not to exceed three Filipinos at any one time."

On page 65, in connection with the appropriation for the protection of the salmon fisheries of Alaska, the following:

"Provided, That hereafter the agent and assistant agent provided for by law shall be appointed by the Secretary of Commerce and Labor."

On page 66 the following:

"Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance."

On page 67, in connection with the appropriation for the office building for the House of Representatives, the following:

"The said office building when complete, and the employment of all services that may be appropriated for by Congress necessary for its protection, care, and operation, shall, subject to the approval and direction of the Committee on Rules of the House of Representatives, be under the control and supervision of the Superintendent of the Capitol Building and Grounds, who shall submit annually to Congress estimates in detail for all such services and for other expenses in connection with said building and necessary for its use and occupancy; and said Committee on Rules shall from time to time prescribe rules and regulations to govern said Superintendent in making all such employments, together with rules and regulations governing the use and occupancy of all rooms and spaces in said building."

On page 85 the following:

"The Secretary of the Interior is authorized, under such regulations as may be prescribed by him, to receive and care for pay patients at the Freedmen's Hospital, and is further authorized, in his discretion, to enter into contract with the Commissioners of the District of Columbia for the care and treatment of persons from the District of Columbia admitted to said hospital; and any money that may be received from either of these sources on and after July 1, 1905, shall be paid to the Secretary of the Interior, to be applied to the uses and purposes of the hospital."

"Hereafter estimates for expenses and maintenance of the Freedmen's Hospital and Asylum shall be submitted by the Secretary of the Interior."

"That the sum of \$50,000, appropriated by the sundry civil appropriation act approved March 3, 1903, and sums hereafter appropriated under authority conveyed in said act for the construction of a new Freedmen's Hospital building and accessories, shall be paid wholly from the Treasury of the United States, and any part of said sum or sums already expended from the revenues of the District of Columbia shall be reimbursed and credited to said revenues."

On page 109, following the appropriations for military parks, the following:

"The Secretary of War is authorized and directed to organize and substitute, on or before July 1, 1905, for existing commissions in charge of the several military parks, a commission of not exceeding three members to be appointed by the Secretary of War, which commission shall, on and after its appointment and qualification, be clothed with and have and exercise all powers and duties previously had and exercised under law by the respective commissions for said parks. The compensation of members of said commission shall be fixed by the Secretary of War and be paid out of and equitably charged against the respective appropriations made in this act for said parks."



On page 132, in connection with the appropriation for assistant attorneys in special cases, the following:

"This appropriation shall be available also for the payment of foreign counsel employed by the Attorney-General in special cases, and such counsel shall not be required to take oath of office in accordance with section 366, Revised Statutes of the United States."

On page 133, in connection with the appropriation for fees of clerks of United States courts, the following:

"Provided, That hereafter no part of any money appropriated shall be used in payment of per diem compensation to any clerk for attendance in court except for days when the court is actually in session opened in the presence of the judge, which fact shall be certified in the approval of the account."

On page 134, following the appropriation for bailiffs and criers for United States courts, the following:

"Provided, That from and after the approval of this act office deputy marshals shall receive no compensation in addition to their salaries as deputy marshals, for acting as criers of the courts."

"Provided, That from and after the approval of this act when circuit and district court is held by the same judge on the same day and in the same place, per diems shall be allowable for attendance of not exceeding three bailiffs and one crier, except that in the southern district of New York not exceeding five bailiffs may be employed and paid in such cases."

On page 136, the following:

"That from and after July 1, 1905, sections 6, 13, 14, 15, and 18 of the act of May 28, 1896, making appropriation for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, shall be applicable to the office of the district attorney for the southern district of New York and his assistants; and section 8 of said act shall also be applicable to the office of the said district attorney and his assistants, except in so far as it limits the maximum salary of an assistant district attorney to \$2,500 per annum; and said district attorney shall receive a salary

of \$6,000 per annum, and each of his assistants shall be paid such salary as the Attorney-General may from time to time determine as to each, which shall in no case exceed \$3,500 per annum."

"That from and after July 1, 1905, all of the expenses of the supreme court of the District of Columbia and of the court of appeals, District of Columbia, the office of the United States marshal for said District, and the office of the district attorney for said District, including the salaries of the judges of the supreme court, the salaries of the judges and clerk and assistant clerk of the court of appeals, the salaries of the district attorney and his assistants, all fees of witnesses, fees of jurors, pay of bailiffs and criers, and all the miscellaneous expenses of said courts, and all other lawful expenses of said courts and their officers shall be paid one half from the revenues of the District of Columbia and the other half from the revenues of the United States: *Provided further*, That one half of the fees collected and deposited by the marshal after June 30, 1905, for services rendered by him and his deputies shall be deposited to the credit of the District of Columbia and the other half to the credit of the United States, and the excess of the earnings of the clerk of the supreme court of the District of Columbia and the fees of the clerk of the said court of appeals shall be deposited in like manner: *Provided further*, That if a balance shall be found due the clerk of the supreme court of the District of Columbia under section 182 of the Code of the District of Columbia, such balance shall be payable one-half from the revenues of the District of Columbia and one-half from the revenues of the United States: *Provided further*, That estimates for all expenditures hereunder shall for the fiscal year 1907, and annually thereafter, be submitted through the Commissioners of the District."

#### COMPARATIVE STATEMENT.

Submitted herewith as a part of this report is a comparative statement exhibiting in detail the appropriations made by the sundry civil act for 1905, the amounts in the regular estimates for 1906, and the amounts recommended for 1906.

#### Recapitulation of sundry civil bill for 1906.

Object.	Appropriations for 1905.	Estimates for 1906.	Recommended for 1906.	
			Amounts.	Page of bill.
Agriculture, Department of, building			\$700,000.00	143
Alaska Commercial Co.		\$5,080.00		
Alaska, reindeer for	\$25,000.00	25,000.00		
Boundary line between Canada and			65,000.00	144
Insane in, support of			17,232.00	83
Seal fisheries	12,950.00	12,950.00	12,950.00	65
Relief of native inhabitants of	19,500.00	19,500.00	19,500.00	65
Traveling and incidental expenses	10,000.00	10,000.00	10,000.00	129
Appraisers, local expenses, meetings of	1,200.00	2,000.00	1,200.00	35
Armories and arsenals	486,400.00	442,200.00	281,000.00	86
Army Medical Museum and Library building		8,000.00	8,000.00	111
Arrears of pay and allowances, war with Spain	150,000.00	150,000.00	100,000.00	125
Artificial limbs and appliances for soldiers	120,000.00	425,000.00	425,000.00	110
Appliances for disabled soldiers	2,000.00	2,000.00	2,000.00	110
Appropriations, preparing statement of	2,000.00		2,000.00	145
Assistant custodians and janitors, public buildings	1,225,000.00	1,381,814.00	1,300,000.00	31
Astrophysical Observatory	15,000.00	15,000.00	15,000.00	24
Atlanta, Ga., penitentiary			50,000.00	128
Botanic Garden	5,500.00	7,000.00	7,000.00	146
Boundary line, United States and Canada	100,000.00			
Building where Abraham Lincoln died, repairs to		400.00	400.00	95
Buildings and grounds in Washington	120,950.00	254,450.00	152,850.00	88
California Debris Commission	15,000.00	15,000.00	15,000.00	111
Canceled United States securities	200.00	200.00	200.00	31
Capitol, building and grounds, lighting	42,500.00	42,500.00	42,500.00	68
Building, repairs, etc	32,000.00	30,000.00	30,000.00	67
Extension of plans for	50,000.00			
Capitol, cleaning works of art in	1,500.00	1,500.00	1,500.00	68
Repairs of building, Court of Claims		7,000.00	7,500.00	69
Flags for	100.00	100.00	100.00	68
Repairs of fire-engine house and stables	1,500.00	1,500.00	1,500.00	69
Grounds, improvement of	25,000.00	25,000.00	25,000.00	68
Casa Grande ruins, repairs to		3,000.00		
Chickamauga and Chattanooga Park	40,000.00	35,000.00	27,000.00	107
Chinese-exclusion act, enforcement of	600,000.00	600,000.00	600,000.00	66
Claims, back pay and bounty to soldiers	250,000.00	250,000.00	200,000.00	125
Claims for damages, loss of private property		14,406.10		
Claims for damages, army maneuvers		4,500.00		
Coast and Geodetic Survey	849,125.00	858,575.00	\$51,975.00	44
Claims for damages, target practice		5,000.00		
Court-house, District of Columbia, repairs	30,840.00	5,000.00	5,000.00	126
Crater Lake, National Park	3,000.00	5,328.00	3,000.00	81
Custody of dies, rolls, and plates	11,000.00	11,000.00	11,000.00	31
Deaf and Dumb Institution	63,000.00	65,500.00	63,000.00	83
New buildings		30,000.00	30,000.00	83
Defending suits in claims	55,000.00	55,000.00	55,000.00	127
Defense of suits before Spanish Treaty Claims Commission	112,000.00	112,000.00	112,000.00	130
Defense of Indian depredation claims	52,000.00	40,000.00	40,000.00	128
Denver mint, machinery and furniture	90,055.00			
Distinctive paper for United States securities	243,000.00	200,770.28	250,000.00	30
Executive Mansion, expense of	50,000.00	53,000.00	53,000.00	91
Executive Mansion and grounds, lighting	25,525.00	25,525.00	25,525.00	92
Engraving and printing	2,825,800.00	3,033,053.00	2,900,600.00	22
Ethnology, American	40,000.00	50,000.00	40,000.00	23
Fish Commission	717,960.00	770,420.00	651,400.00	53
Fort Monroe, Va., sewer system	8,082.50	8,000.00	8,480.50	105
Freedmen's Hospital, support			25,000.00	84
New building			250,000.00	85
Fuel, lights, and water, public buildings	1,040,000.00	1,123,528.00	1,100,000.00	33
Furniture, public buildings	367,100.00	425,100.00	400,000.00	32
Galveston, Tex., protection of fortifications	591,046.25			
Garfield Hospital	19,000.00		19,000.00	111
General Grant National Park	2,000.00	2,500.00	2,000.00	80
Geological Survey	1,087,920.00	1,212,840.00	1,384,420.00	75
Gettysburg Military Park	60,000.00	75,000.00	57,000.00	108
Governors Island, N. Y., buildings and improvements	200,000.00	100,000.00	100,000.00	105
Howard University	47,600.00	47,600.00	47,600.00	83
Hospital for the Insane	362,120.00	390,550.00	362,550.00	81
Home for Disabled Volunteer Soldiers	3,807,689.00	4,053,759.00	3,924,459.00	112
Homes for soldiers in States and Territories	950,000.00	1,200,000.00	1,075,000.00	124
House of Representatives office building			980,000.00	67

## Recapitulation of sundry civil bill for 1906—Continued.

Object.	Appropriations for 1905.	Estimates for 1906.	Recommended for 1906.	
			Amounts.	Page of bill.
House of Representatives office building power house.....	\$130,000.00		\$363,000.00	68
Hot Springs Reservation, Ark.....	8,000.00	\$11,000.00	6,000.00	80
Independent Treasury, contingent expenses.....	240,000.00	250,000.00	240,000.00	28
Inspector of supplies for public buildings.....	5,000.00	5,000.00	5,000.00	31
Immigration stations.....		262,000.00	250,000.00	37
Inspector of furniture, salary and expenses.....	4,500.00	5,500.00	5,500.00	32
Assistant inspector, salary.....		1,600.00	1,600.00	32
Insular and Territorial expenses, Department of Justice.....	25,000.00	25,000.00	25,000.00	129
Interior Department and Pension buildings.....	10,000.00	10,000.00	10,000.00	66
Electric-light plant.....		24,000.00		
Preservation and repair of heating and lighting plants, etc.....	5,000.00	5,000.00		
Rent.....	11,500.00			
International Exposition, Liege, Belgium.....	5,000.00			
International Exchanges, Smithsonian Institution.....	27,000.00	34,600.00	27,000.00	23
International Sanitary Bureau.....	2,830.79			
International Railway Congress.....	400.00			
International Congress, relating to collisions and salvage.....	2,000.00			
Interstate Commerce Commission.....	355,000.00	400,000.00	365,000.00	26
Jamestown Island, Virginia.....	15,000.00			
Justice, Department of:				
Traveling and miscellaneous expenses.....	8,500.00	8,500.00	8,500.00	127
Care of rented buildings.....	10,000.00	10,000.00	10,000.00	129
Lafayette, General, purchase of bust.....	2,000.00			
Lands and other property of the United States.....	400.00	400.00	400.00	35
Leavenworth, Kans., penitentiary.....	240,000.00	240,000.00	240,000.00	126
Life-Saving Service.....	1,841,750.00	1,865,415.00	1,865,415.00	17
Light-houses, beacons, and fog signals.....	769,430.00	2,965,958.88	482,500.00	37
Light-House Establishment.....	3,704,000.00	3,846,886.00	3,704,000.00	39
Maps of the United States for Interior Department.....	4,000.00			
Maps for War Department.....	1,000.00	3,000.00	3,000.00	109
Military posts, enlargement of.....	1,500,000.00	1,888,400.00	1,000,000.00	104
Army general hospital.....			200,000.00	105
Columbus, Ohio.....	180,000.00			
Presidio Reservation, San Francisco, Cal.....	15,000.00	7,500.00		
Presidio of Monterey, Cal., target range.....			10,000.00	105
Fort Logan, Colo., target range.....			6,640.00	105
Fort Wetherill, E. I.....		75,600.00		
Indianapolis, Ind.....		200,000.00		
Fort Niagara, N. Y.....		150,000.00	150,000.00	105
Chickamauga Park target range.....		20,000.00		
Fort Stark, N. H.....		40,000.00		
Fort Ethan Allen, Vt.....		19,000.00		
Yokeka Point, Wash.....		2,500.00		
San Presidio, Cal.....		350,000.00		
Fort Screven, Ga.....		38,800.00		
Mission Indians, California, counsel for.....	1,000.00	1,000.00	1,000.00	129
Moieties, compensation in lieu of.....	20,000.00	25,000.00	20,000.00	35
Mount Rainier National Park.....	30,000.00	70,000.00		
Improvements.....		2,600.00		
National cemeteries, headstones, etc.....	311,230.00	309,810.00	294,310.00	101
National currency, expenses of.....	40,000.00	28,820.00	28,000.00	30
North American Transportation and Trading Co.....		5,158.80		
National Museum.....	242,580.00	297,196.00	249,080.00	24
National Museum, new building.....		700,000.00	1,500,000.00	24
New York Harbor, preventing deposits in.....	73,260.00	85,260.00	85,260.00	111
Paper and stamps, internal revenue.....	70,000.00	65,000.00	65,000.00	28
Peking, China, legation buildings.....	50,000.00		30,000.00	145
Potomac River, sea wall at Washington, D. C.....		7,500.00		
Power house for public buildings, plans.....	5,000.00			
Prosecution and collection of claims.....	500.00			
Prevention of epidemics.....	100,000.00	100,000.00	100,000.00	36
Prosecution of crimes.....	45,000.00	45,000.00	45,000.00	127
Providence Hospital.....	19,000.00		19,000.00	110
Public buildings, construction of, including marine hospitals and quarantine stations.....	4,819,844.38	8,162,184.34	8,044,184.34	1
Public lands, collecting revenue from sales of.....	1,484,220.00	1,478,220.00	1,102,220.00	69
Public lands, surveying, including private land claims, etc.....	436,480.00	406,480.00	306,480.00	72
Public printing and binding.....	6,330,645.82	6,885,117.12	6,330,645.82	146
Punishing violations of internal-revenue laws.....	100,000.00	100,000.00	100,000.00	28
Punishing violations of intercourse acts and frauds.....	4,000.00	4,000.00	4,000.00	128
Quarantine service.....	335,000.00	350,000.00	340,000.00	35
Recoinage of gold coins.....	6,000.00	7,000.00	6,000.00	29
Repair of water pipes.....	2,500.00	2,500.00	2,500.00	94
Revenue-Cutter Service.....	1,450,000.00	1,450,000.00	1,450,000.00	20
River and harbor contract work authorized by law.....	7,872,200.00	8,442,396.00	10,444,132.00	95
Sealing and separating United States securities.....	1,500.00	1,750.00	1,500.00	30
Senate office building.....	750,000.00			
Sequoia National Park.....	10,000.00	10,000.00	10,000.00	80
Shiloh Military Park.....	82,000.00	31,000.00	24,000.00	108
Shipping service, contingent expenses.....	7,000.00	7,000.00	7,000.00	66
Special witness, destruction of United States securities.....	1,565.00	1,565.00	1,565.00	30
Survey of northern and northwestern lakes.....	150,000.00	100,000.00	100,000.00	109
Supreme Court Reports.....	1,632.00	2,145.00	2,145.00	81
Suppressing counterfeiting and other crimes.....	125,000.00	125,000.00	125,000.00	34
Telegraph line connecting Capitol and Departments.....	1,500.00	2,700.00	2,700.00	94
Transportation of minor coin.....	18,000.00	20,000.00	18,000.00	29
Transportation of reports and maps to foreign countries.....	100.00	100.00	100.00	110
Transportation of silver coin.....	120,000.00	125,000.00	120,000.00	29
United States and Canada, boundary line.....			50,000.00	145
United States courts, expenses of.....	6,100,780.00	6,347,180.00	6,275,132.00	131
Vicksburg Military Park.....	100,000.00	100,000.00	75,000.00	108
Wakefield, Va., wharf at.....		4,500.00		
Washington Monument.....	14,020.00	11,520.00	11,520.00	94
Wind Cave National Park.....	2,500.00	3,500.00	2,500.00	81
Yellowstone Park, protection of, etc.....	7,500.00	32,880.00	7,500.00	80
Improvement of.....	250,000.00	50,000.00	133,000.00	107
Yosemite National Park.....	8,400.00	8,000.00	5,400.00	80
Construction of road.....		181,000.00		
Extinguishment of private holdings.....		100,000.00		
Zoological Park.....	95,000.00	135,000.00	95,000.00	26
Additional land.....		60,000.00		
Reduction by Secretary of War in estimates for buildings and grounds in and around Washington, 1906.....		67,085,490.52		
		183,100.00		
Total.....	57,840,211.34	66,902,390.52	65,558,880.66	



## APPENDIX.

## HOUSE OF REPRESENTATIVES OFFICE BUILDING.

OFFICE OF SUPERINTENDENT UNITED STATES  
CAPITOL BUILDING AND GROUNDS,  
Washington, D. C., February 8, 1905.

The HON. JOSEPH G. CANNON, WILLIAM P. HEPBURN,  
and JAMES D. RICHARDSON,  
Commission of the House of Representatives to Supervise  
the Construction of an Office Building Therefor.

GENTLEMEN: I beg to inform you that the progress of the railway tunnel through square 690 and the practical completion of the excavation contract for cellars and courts of the building enables the immediate construction of the deep foundations at the eastern side of the House office building, and in addition the construction of the adjacent footings for the entire building. The construction of the deep footings can and will be proceeded with at once, in accordance with the late instructions of the commission, to be immediately followed by the other work. In consequence bids have been obtained and received for all of the building material estimated to be required for the ensuing year, and plans and specifications have been issued for the entire cut-stone work of the exterior façades of the building and the façades in the court. These bids will be received March 8 next and will be followed by the immediate receipt of bids for the steel work and fireproof construction for at least one-half of the entire structure, which will in turn be followed by bids for the interior marble work at the northwest corner.

I therefore estimate that for the work laid out for and expected to be done during the ensuing fiscal year the sum of \$980,000 will be required.

Very respectfully, ELLIOTT WOODS,  
Superintendent U. S. Capitol Building and Grounds.

We respectfully recommend that an appropriation be made in the sundry civil appropriation act for the fiscal year 1906 in accordance with the foregoing estimate, submitted by Elliott Woods, superintendent.

J. G. CANNON,  
W. P. HEPBURN,  
Commission to Supervise and Direct the Construction  
of the Office Building for the House of Representatives.

## POWER HOUSE FOR CAPITOL, ETC.

OFFICE OF SUPERINTENDENT U. S. CAPITOL,  
BUILDING AND GROUNDS,  
Washington, D. C., February 10, 1905.

HON. JOSEPH G. CANNON, W. P. HEPBURN, and  
JAMES D. RICHARDSON,  
Commission of the House of Representatives to Supervise  
the Construction of an Office Building Therefor.

GENTLEMEN: I have estimated that for the work to be done in connection with the heating, lighting, and power plant, authorized in the act approved April 28, 1904, sufficient to care for the Capitol, House office building, and the Congressional Library building, and to be covered by the layout for the fiscal year 1905 and 1906, the sum of \$363,000 will be required, estimated as follows:

Building	\$225,000
Running of conduits and ducts	138,000
Total	363,000

Very respectfully,

ELLIOTT WOODS,  
Superintendent U. S. Capitol Building and Grounds.

The foregoing is approved.

J. G. CANNON,  
W. P. HEPBURN,  
Commission of the House, etc.

MILITARY POSTS, COST OF BUILDINGS AT.  
[No. 158727.]

WAR DEPARTMENT,  
OFFICE OF THE QUARTERMASTER-GENERAL,  
Washington, D. C., February 4, 1905.

The CHAIRMAN OF THE COMMITTEE ON APPROPRIATIONS,  
House of Representatives, Washington, D. C.

SIR: Complying with your request of the 28th ultimo, I have the honor to furnish to you, herewith inclosed, a statement of total amount expended for all purposes at each military post in the United States, now occupied or to be occupied, from January 1, 1890, to January 31, 1905.

Respectfully,

C. F. HUMPHREY,  
Quartermaster-General U. S. Army.

Memorandum showing approximately the total expenditures from appropriations of the Quartermaster's Department for construction and repair work at military posts in the United States, including all allotments of funds from January 1, 1890, to January 31, 1905, for purchase of land, buildings, and improvements of all kinds.

Post.	Amount.	Post.	Amount.
Adams, Fort, R. I.	\$472,301.45	Boise Barracks, Idaho	\$47,746.77
Alcatraz Island, Cal.	150,691.79	Brady, Fort, Mich.	473,937.25
Andrews, Fort, Mass.	282,615.85	Brown, Fort, Tex.	129,957.21
Apache, Fort, Ariz.	140,154.42	Canby, Fort, Wash.	32,330.14
Armistead, Fort, Md.	4,111.71	Carroll, Fort, Md.	11,447.22
Assiniboine, Fort, Mont.	562,268.11	Casey, Fort, Wash.	402,153.32
Baker, Fort, Cal.	458,710.65	Caswell, Fort, N. C.	373,801.24
Banks, Fort, Mass.	280,066.35	Clark, Fort, Tex.	122,007.96
Barrancas, Fort, Fla.	410,780.02	Columbia, Fort, Wash.	361,126.33
Benicia Barracks, Cal.	63,960.12	Columbus Barracks, Ohio	205,364.37
Bliss, Fort, Tex.	487,834.20	Constitution, Fort, N. H.	104,293.57

Memorandum showing approximately the total expenditures from appropriations of the Quartermaster's Department, etc.—Continued.

Post.	Amount.	Post.	Amount.
Crook, Fort, Nebr.	\$866,133.16	Niobrara, Fort, Nebr.	\$150,608.98
Dade, Fort, Fla.	173,256.48	Oglethorpe, Fort, Ga.	1,206,461.53
D. A. Russell, Fort, Wyo.	965,727.59	Omaha (Old Fort), Nebr.	33,099.85
Davis, Fort, Alaska.	64,792.28	Ontario, Fort, N. Y.	352,563.64
Des Moines, Fort, Iowa.	898,967.49	Plattsburg Barracks, N. Y.	697,168.14
De Soto, Fort, Fla.	147,442.79	Point, Fort, Cal.	74,036.55
Douglas, Fort, Utah.	924,259.17	Porter, Fort, N. Y.	143,036.24
Duchesne, Fort, Utah.	175,396.90	Proble, Fort, Me.	300,708.91
Du Pont, Fort, Del.	302,720.51	Presidio of Monterey, Cal.	262,285.38
Egbert, Fort, Alaska.	166,941.63	Presidio of San Francisco, Cal.	951,409.34
Ethan Allen, Fort, Vt.	1,504,730.84	Presidio of San Francisco (infantry cantonment)	19,393.11
Flagler, Fort, Wash.	417,076.41	Reno, Fort, Okla.	152,785.03
Fremont, Fort, S. C.	174,920.76	Revere, Fort, Mass.	159,825.50
Gibson, Fort, Alaska.	173,713.88	Riley, Fort, Kans.	1,543,184.34
Governors Island and Fort Jay, N. Y.	477,891.41	Ringgold, Fort, Tex.	174,355.08
Grant, Fort, Ariz.	111,874.55	Robinson, Fort, Nebr.	405,968.20
Greble, Fort, B. I.	354,670.34	Rodman, Fort, Mass.	196,742.20
Hamilton, Fort, N. Y.	273,562.26	Rosecrans, Fort, Cal.	161,885.22
Hancock, Fort, N. J.	1,219,245.06	St. Michael, Fort, Alaska	183,705.63
Harrison, Fort, Mont.	438,034.71	St. Philip, Fort, La.	68,104.28
H. G. Wright, Fort, N. Y.	396,355.96	Sam Houston, Fort, Tex.	1,027,057.00
Honolulu and Camp McKinley, Hawaii.	93,733.96	Schuyler, Fort, N. Y.	105,581.42
Howard, Fort, Md.	466,403.73	Screven, Fort, Ga.	396,192.82
Huachuca, Fort, Ariz.	160,083.35	Sheridan, Fort, Ill.	883,831.53
Hunt, Fort, Md.	161,340.61	Sill, Fort, Okla.	148,497.97
Indianapolis, Ind. (new post near)	3,190.80	Slocum, Fort, N. Y.	441,168.98
Jackson Barracks, La.	181,574.65	Smallwood, Fort, Md.	9,335.86
Jefferson Barracks, Mo.	1,024,275.29	Snelling, Fort, Minn.	1,486,206.19
Keogh, Fort, Mont.	209,037.51	Stevens, Fort, Oreg.	300,801.55
Key West Barracks, Fla.	234,680.19	Strong, Fort, Mass.	315,025.18
Lawton, Fort, Wash.	443,863.09	Terry, Fort, N. Y.	415,518.47
Leavenworth, Fort, Kans.	2,590,374.23	Thomas, Fort, Ky.	604,785.84
Levee, Fort, Me.	191,231.63	Totten, Fort, N. Y.	692,909.59
Lincoln, Fort, N. Dak.	311,191.98	Trumbull, Fort, Conn.	51,474.53
Liscum, Fort, Alaska.	94,344.12	Vancouver Barracks, Wash.	694,442.88
Logan H. Roots, Fort, Ark.	284,964.37	Wadsworth, Fort, N. Y.	184,017.33
Logan, Fort, Colo.	857,199.72	Walla Walla, Fort, Wash.	193,318.13
Mackenzie, Fort, Wyo.	533,742.23	Ward, Fort, Wash.	1,460.08
Madison Barracks, N. Y.	543,958.40	Warren, Fort, Mass.	235,165.07
Mansfield, Fort, B. I.	239,885.84	Washakie, Fort, Wyo.	48,705.78
Mason, Fort, Cal.	121,643.31	Washington, Fort, Md.	490,506.24
McDowell, Fort, Cal.	183,529.32	Wayne, Fort, Mich.	344,431.82
McHenry, Fort, Md.	97,464.41	Wetherill, Fort, R. I.	13,703.02
McIntosh, Fort, Tex.	115,371.76	Whipple Barracks, Ariz.	179,057.85
McKinley, Fort, Me.	843,098.12	W. H. Seward, Fort, Alaska.	477,051.50
McPherson, Fort, Ga.	545,516.52	Williams, Fort, Me.	65,043.11
Meade, Fort, S. Dak.	597,937.42	Wingate, Fort, N. Mex.	123,437.25
Michie, Fort, N. Y.	166,008.41	Wood, Fort, N. Y.	78,799.88
Miley, Fort, Cal.	244,729.24	Worden, Fort, Wash.	248,588.05
Missoula, Fort, Mont.	93,529.23	Wright, Fort, Wash.	84,332.61
Monroe, Fort, Va.	1,137,985.02	Yellowstone, Fort, Wyo.	242,201.98
Morgan, Fort, Ala.	360,302.61		
Mott, Fort, N. J.	315,830.25		
Moultrie, Fort, S. C.	730,504.31		
Myer, Fort, Va.	1,363,585.32		
Myer, Fort, Va. (signal)	113,071.45		
Niagara, Fort, N. Y.	149,891.22		
		Total	49,680,017.29

## WAR DEPARTMENT, February 9, 1905.

J. C. COURTS,  
Clerk Committee on Appropriations,  
House of Representatives:

Expenditures from "Barracks and quarters" for new construction at all military posts for the fiscal year ended June 30, 1903, were \$2,285,736.66; for fiscal year ended June 30, 1904, were \$3,607,431.33. HUMPHREY, Quartermaster-General.

## RIVER AND HARBOR CONTRACT WORK.

WAR DEPARTMENT,  
OFFICE OF THE CHIEF OF ENGINEERS,  
Washington, February 6, 1905.

HON. JAMES A. HEMENWAY,  
Chairman Committee on Appropriations,  
United States House of Representatives.

SIR: I have the honor to transmit inclosed a statement, in the usual form, of the amount which, according to present estimates, should be provided for Ambrose channel, New York Harbor, by the sundry civil bill for the year ending June 30, 1906.

2. In the statements submitted recently to your committee the sum then needed for Ambrose channel was stated at \$500,000. In this certain expenditures for the construction of dredges by the United States, to supplement the contractor's plant, which will shortly become due, were overlooked. These expenditures amount to \$215,510, and make the total needed for the year named \$715,510. It should be noted that this sum is not an increase in the total estimated cost of the work, but simply in the expenditure for the fiscal year in question.

3. As this change alters the footings of the consolidated statement, a copy thereof, corrected to correspond, is also inclosed. It is requested that this statement for Ambrose channel and the corrected copy of the consolidated statement be substituted for the corresponding papers originally laid before your committee.

Very respectfully,

A. MACKENZIE,  
Brigadier-General, Chief of Engineers, U. S. Army.

## Memorandum in re river and harbor works under continuing contracts.

Locality.	Estimate in annual report for 1904.	Revised estimate.	Decrease.	Increase.
Buffalo Harbor, N. Y.		\$143,506		\$143,506
Charleston Harbor, S. C.	\$25,000	25,000		
Cleveland Harbor, Ohio		180,800		180,800
Cumberland Sound, Ga. and Fla.	40,000	40,000		
San Pedro Harbor, Cal.	400,000	460,000		60,000
Winyah Bay, S. C.	75,000	75,000		
Gowanus Bay channel, N. Y. (Bay Ridge and Red Hook)	251,000	200,000	\$51,000	
Black River Harbor, Ohio	66,000	20,000	46,000	
Gulfport Harbor, Miss.	10,000		10,000	
New York Harbor, N. Y. (Ambrose Channel)	500,000	715,510		215,510
Ohio River below Pittsburg, Pa. (Dams 13 and 18)	593,400	100,000	493,400	
Toledo Harbor, Ohio	100,000	161,000		61,000
Boston Harbor, Mass.	970,000	970,000		
Gloucester Harbor, Mass.	67,083	50,000	17,083	
Lake Erie entrance to Black Rock Harbor and Erie Basin, N. Y.	289,643	52,000	237,643	
Arthur Kill, N. Y. and N. J.	100,000	70,000	30,000	
Savannah Harbor, Ga.	175,000	175,000		
Cleveland Harbor, Ohio	500,000	450,000	50,000	
San Pablo Bay, Cal.	81,000		81,000	
Kennebec River, Me.	41,000		41,000	
Passaic River, N. J.	75,000	75,000		
Great Pedee River, S. C.	50,000	15,000	35,000	
St. Johns River, Fla.	205,000	205,000		
Black Warrior, Warrior, and Tombigbee rivers, Ala. (Locks and Dams Nos. 1, 2, and 3)	75,000	15,000	60,000	
Southwest Pass, Mississippi River	1,250,000	1,250,000		
Trinity River, Tex.	25,000		25,000	
Quachita River, Ark. and La.	103,954	12,000	91,954	
Mississippi River:				
Mouth of Ohio to Missouri River	650,000	650,000		
Missouri River to St. Paul	400,000	400,000		
Tennessee River below Chattanooga, Tenn.; Ala. and Ky.	50,000	50,000		
Ohio River below Pittsburg, Pa. (Dam 37)	150,000	50,000	100,000	
Big Sandy River, W. Va. and Ky.	125,000	85,000	40,000	
Detroit River, Mich.	450,000	500,000		50,000
Middle and West Neebish channels, St. Marys River, Mich.	500,000	1,200,000		700,000
Stockton and Mormon channels, Cal.	49,316	49,316		
Under Mississippi River Commission.				
Mississippi River from Head of Passes to the mouth of Ohio River	2,000,000	2,000,000		
Total	10,442,396	10,444,132	1,409,080	1,410,816

## Improving New York Harbor, New York (Ambrose channel).

Limit of expenditure authorized by act of March 3, 1899	\$3,000,000.00
Amount appropriated under this authority to date	1,063,000.00
Balance remaining unappropriated	1,937,000.00
Present unexpended balance, January 1, 1905	516,289.71
Probable expenditures before June 30, 1905:	
Dredging under contract	\$250,000.00
Construction of dredges	215,510.00
Dredging with United States plant	130,000.00
Contingencies, inspection, examinations, etc.	26,289.71
	621,799.71
Probable minus balance June 30, 1905	105,510.00
Probable expenditures during year ending June 30, 1906:	
Dredging under contract	\$360,000.00
Dredging with United States plant	200,000.00
Contingencies, inspection, examinations, etc.	50,000.00
	610,000.00
Amount to be appropriated for year ending June 30, 1906	715,510.00

The work to be carried on under the appropriation asked for is a part of the existing approved project.

Under contract for entire completion of channel, completion to be furthered by work of two United States dredges built for the purpose. Estimate is based upon requirements of contracts and estimated operations of Government plant.

## NATIONAL MILITARY PARKS.

WAR DEPARTMENT,  
Washington, February 4, 1905.

SIR: Replying to your telegraphic inquiry of yesterday, I have the honor to say that I do not think any material reduction can be made in the pending estimates of the four national military parks, or in the number or compensation of persons employed in connection therewith, if the management of these parks is to be continued, as at present, under four separate commissions.

The estimate for 1906 for the Chickamauga and Chattanooga Park is \$35,000, which is a decrease of \$5,000 from the appropriation for the current year. The estimate of the Gettysburg Park is \$75,000, an increase of \$15,000, which amount is required for the construction of an avenue over land now owned by the United States. The estimate for the

Shiloh Park is \$31,000, a decrease of \$1,000, and the estimate for the Vicksburg Park is \$100,000, the same as for the current fiscal year.

In this connection, however, I beg to invite your attention to the following extract from my annual report for 1904:

"The development of the plans contemplated in the establishment of the different national military parks designed to commemorate the great battlefields of the civil war has reached a point where, with a view to economy and uniformity of administration, the four different commissions now having supervision of the Chickamauga and Chattanooga, the Gettysburg, the Shiloh, and the Vicksburg parks might well be consolidated into a single commission, consisting of three members, or possibly five.

"While by law the work of these commissions has been placed under the supervision and control of the Secretary of War, the conditions heretofore have been such that the Department has not felt called upon to suggest bringing this work into the hands of a general commission, a step against which no valid objection can lie if only public interests are to be considered."

As requested in your telegram, I transmit herewith an itemized statement of expenditures on account of each of said parks for the fiscal year 1904 and for the first half of the fiscal year 1905.

Very respectfully,

WM. H. TAFT, Secretary of War.

The CHAIRMAN COMMITTEE ON APPROPRIATIONS,  
House of Representatives.

## GETTYSBURG NATIONAL PARK.

## Statement of expenditures from July 1, 1903, to June 30, 1904.

Balance July 1, 1903	\$8,260.53
Appropriation act March 3, 1903	60,000.00
	\$68,260.53
EXPENDITURES.	
Salaries—commissioners, clerks, etc.	19,800.00
Mileage and traveling expenses	163.10
Miscellaneous expenses of establishment	1,713.71
Land and legal expenses	9,408.41
Road construction	6,576.38
Bridges and fencing	4,388.19
Monuments, tablets, towers, etc.	750.09
Stationery and printing	343.51
Labor	13,237.00
Rent	248.00
Fuel, ice, forage, and miscellaneous	3,843.43
Road repairs	147.75
	60,619.57
Balance June 30, 1904	7,640.96
Appropriation act April 28, 1904	60,000.00
Amount received from rent of land	831.75
	68,472.71
Expenditures from July 1 to December 31, 1904:	
Salaries—commissioners, clerks, etc.	\$9,318.00
Mileage and traveling expenses	15.54
Miscellaneous expenses of establishment	738.25
Land and legal expenses	2,217.47
Road construction	6,010.99
Bridges and fencing	3,906.94
Monuments, tablets, towers, etc.	1,832.47
Stationery and printing	225.95
Labor	8,704.38
Rent	180.50
Fuel, ice, forage, and miscellaneous	2,377.80
	35,528.29
Balance December 31, 1904	32,944.42

## SHILOH NATIONAL MILITARY PARK.

## Statement of expenditures from July 1, 1903, to June 30, 1904.

Balance July 1, 1903	\$41,011.46
Appropriation act March 3, 1903	20,000.00
	\$61,011.46
EXPENDITURES.	
Salaries, commissioners, clerks, etc.	\$23,612.76
Mileage, traveling expenses, etc.	180.95
Land and legal expenses	6,300.00
Road construction	1,028.95
Monuments, tablets, towers, etc.	9,755.20
Bridges and fencing	42.00
Stationery and printing	1,496.44
Labor	11,194.18
Fuel, ice, forage, and miscellaneous	1,293.70
	55,504.18
Balance June 30, 1904	5,507.28
Appropriation sundry civil act April 28, 1904	32,000.00
Expenditures from July 1, 1904, to December 31, 1904, total	37,507.28
Salaries, commissioners, clerks, etc.	\$12,473.33
Land and legal expenses	225.00
Road construction	293.55
Bridges and fencing	99.37
Stationery and printing	109.89
Labor	5,444.23
Fuel, ice, forage, and miscellaneous	849.70
	19,495.07
Balance December 31, 1904	18,012.21

## CHICKAMAUGA AND CHATTANOOGA NATIONAL PARK.

## Statement of expenditures from July 1, 1903, to June 30, 1904.

Balance July 1, 1903	\$11,214.81
Appropriation act March 3, 1903	40,000.00
	\$51,214.81
EXPENDITURES.	
Salaries, commissioners, clerks, etc.	\$19,652.51
Mileage and traveling expenses	438.58
Miscellaneous expenses of establishment	459.25
Land and legal expenses	1,401.80
Road construction	5,398.33



Stationery and printing	\$216.41	
Labor	18,419.77	
Rent	65.93	
Fuel, ice, forage, hardware, etc.	2,236.47	
Furniture	32.50	
		\$48,321.55
Balance June 30, 1904		2,893.26
Appropriation act April 28, 1904		40,000.00
Total		42,893.26
Expenditures (from July 1 to December 31, 1904):		
Salaries, commissioners, clerks, etc.	9,465.56	
Mileage and traveling expenses	173.32	
Land and legal expenses	68.25	
Road construction	468.07	
Bridges and fencing	141.90	
Monuments, tablets, etc.	256.00	
Stationery and printing	47.99	
Labor	10,366.34	
Rent	66.00	
Fuel, ice, forage, hardware, etc.	819.76	
		21,873.19
Balance December 31, 1904		21,020.07
VICKSBURG NATIONAL MILITARY PARK.		
Statement of expenditures from July 1, 1903, to June 30, 1904.		
Balance July 1, 1903	\$98,203.54	
Appropriation act March 3, 1903	50,000.00	
Appropriation act April 28, 1904, immediately available	100,000.00	
		\$248,203.54
EXPENDITURES.		
Salaries, commissioners, clerks, etc.	\$22,201.68	
Mileage and traveling expenses	1,010.73	
Land and legal expenses	2,246.35	
Road construction	18,180.52	
Bridges and fencing	89,311.52	
Stationery and printing	216.83	
Labor	15,912.59	
Rent	720.00	
Fuel, ice, hardware, etc.	2,143.86	
Furniture	63.30	
		152,007.38
Balance June 30, 1904		96,196.16
Expenditures from July 1 to December 31, 1904:		
Salaries, commissioners, clerks, etc.	\$12,180.00	
Mileage and traveling expenses	37.26	
Land and legal expenses	230.35	
Road construction	13,079.79	
Stationery and printing	33.01	
Labor	12,950.38	
Rent	300.00	
Fuel, ice, hardware, etc.	515.35	
		39,326.14
Balance December 31, 1904		56,870.02

Mr. HEMENWAY. Mr. Chairman, I yield one hour to the gentleman from Indiana [Mr. CRUMPACKER].

Mr. CRUMPACKER. Mr. Chairman, availing myself of the latitude accorded Members of the House in general debate by a long-standing custom, I take this opportunity to submit some remarks upon a subject that has no relevancy to the bill under consideration. There has been considerable discussion throughout the country during the last few years respecting the constitutional plan of apportioning representatives among the several States, and I intend to devote the time at my command to the consideration of that question. I hope I may be able to present my views in a manner that will not excite feeling or provoke controversy. The question is so essentially a political one in the higher sense, and so important to all parts of the country, that I am unable to understand why its discussion so frequently produces excitement and irritation.

The Republican national convention that met at Chicago last June embodied in its platform a declaration in favor of investigating the question of suffrage in the several States, with the view of ascertaining whether the right of male citizens to vote at general elections has been denied or in any manner abridged by State laws, and, if such is found to be the case, to reduce the representation of the disfranchising States in the manner provided in the second section of the fourteenth amendment to the Federal Constitution. The declaration contained in the platform is in the following language:

We favor such Congressional action as shall determine whether by special discriminations the elective franchise in any State has been unconstitutionally limited, and, if such is the case, we demand that representation in Congress and in the electoral colleges shall be proportionally reduced, as directed by the Constitution of the United States.

The proposition contained in this plank, by the act of that convention, became an essential part of the policy and programme of the Republican party for the Administration beginning on the 4th day of March next. The supreme power of that party is in the delegates chosen by the people to represent them in national nominating conventions. The platform adopted by the convention at Chicago is the expression of the Republican party coming

from the highest source of power, and the campaign was fought and won upon that platform. The placing of representation upon a constitutional basis is now as much a part of Republican doctrine and policy as is the gold monetary standard or a protective tariff. The representative plank evoked considerable discussion during the campaign in various parts of the country. It was asserted in some quarters that it was not a good-faith declaration, but was put in the platform merely for the purpose of securing the support of colored voters in the Northern States.

I am not ready to believe that the representatives of the great Republican party put a proposition in the platform with the deliberate intention to deceive any portion of the voters of the country. The record of that party for candor and good faith has been such as to belie all imputations of duplicity and insincerity. I prefer to believe that proposition was embodied in the platform in good faith as an honest declaration that representation in the lower House of Congress and in the electoral college shall be based absolutely upon the constitutional plan of apportionment.

Before the adoption of the fourteenth amendment representation was based upon population, excluding Indians not taxed and including all of the whites and three-fifths of all others. "All others," of course, meant slaves; so States that maintained the institution of slavery secured representation for all of their white population and three-fifths of their slaves. This scheme of apportionment was one of the compromises in the original Constitution, and it was a constant source of friction between the slave and the free States for more than half a century. After the emancipation of the slaves it was necessary to adopt a new scheme of apportionment. The thirteenth amendment to the Constitution forever abolished slavery, but did not make the freedmen citizens or affect the basis of representation.

When the question of a new basis for apportionment was up for consideration, a number of theories were submitted, among others that of basing representation upon the number of votes actually cast at general elections. This proposition had the support of some of the ablest and most influential statesmen of that important period in our country's history, but the principle of representation based upon population finally prevailed. The other theory would have unduly accentuated the importance of voters by apparently making them the only members of the body politic and the sole depositaries of the sovereign power of the Republic. The population theory gives the voter a sort of representative character. It is designed to impress upon him a solemn trust, which he shall exercise not only for himself, but for all of the other citizens of the country, and the wisdom of that policy can not well be questioned.

The political status of the emancipated race was somewhat anomalous after the adoption of the thirteenth amendment. They were no longer slaves, yet they were not citizens of the United States and possessed none of the rights of citizenship. However undesirable their presence may have been after their liberation from the bonds of slavery, they were with us without any fault of their own, and statesmen and philanthropists of that period, prompted by feelings of common humanity, had great concern for their welfare. It was eminently unjust to exclude them absolutely from membership in the body politic; to deny them any participation in political affairs; to withhold from them the privileges and immunities of citizenship, and still make them, even in part, the basis of representation in the lower House of Congress and the electoral college.

Out of the discussion of this important and complex situation the fourteenth amendment was born, the first section of which defines citizenship, providing that all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the States wherein they reside. This section further provides that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws. This part of the fourteenth amendment nationalized civil liberty.

Justice Swayne, in an opinion in the famous Slaughterhouse cases, in speaking of the reconstruction amendments, declared that "fairly construed these amendments may be said to rise to the dignity of a new Magna Charta." Aside from the one abolishing slavery, the fourteenth amendment is the most important addition ever made to the Federal Constitution, and its practical value is being demonstrated every year by the abundant safeguarding of the rights and the liberties of the people in all parts of the country.

The second section of the fourteenth amendment is as follows:

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to

vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State being 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

This section bases representation upon population, but it provides that if any State shall deny or in any way abridge the right of male citizens to vote at any election for choice of electors for President and Vice-President of the United States, for Representatives in Congress, for the executive and judicial officers of a State or members of the legislature thereof, the basis of representation of such State shall be reduced in the proportion which the number of such disfranchised citizens bears to the whole number of male citizens 21 years of age in such State. It will be noted that a reduction of representation can be made only when the right to vote is denied or abridged for certain national and State officers. A State may deny the right of any portion of its citizens to vote for county, township, and municipal officers, or at elections directly involving taxation or the appropriation of money without losing any of its representation in the House or the Electoral College. It is only where the right to vote is denied for national officers and the executive and judicial officers of a State or members of the legislature thereof that a reduction of representation is required.

The purpose of this limitation was to enable the States who then had the absolute power of fixing the qualifications of voters to limit and restrict the ballot as their several interests might seem to demand, in relation to all purely local matters not affecting the essential rights and liberties of the people. Under its provisions it would be entirely proper for any State to withhold the ballot from any portion of its citizens even arbitrarily in the choice of all county, township, and municipal officers, and in elections directly imposing taxes and appropriating public money.

At the time of the adoption of the fourteenth amendment absolute power was in the States to establish the qualifications of voters. There was no limitation whatever upon the exercise of that power or upon its administration. Section 4 of article 4 of the original Constitution guarantees to every State in the Union a republican form of government, but that guaranty requires the State government shall be republican in form only—a provision too vague to have any tangible value, as there was an entire absence of any practical means of enforcing it. At that time it was the expectation that the reconstruction problem would be left entirely upon the basis of that amendment. It was not expected that the reconstructed States would admit the recently liberated slaves to the right of the ballot. It was generally believed that the negroes were in a large measure unfitted for the exercise of that important right, and the theory of the amendment was that those States would be interested in the education and development of their colored population, and, in order to secure a larger share in Federal politics and administration, they would admit them to suffrage as rapidly as they could do so consistently with the welfare of their local interests. The provision reducing representation where the right of suffrage is denied was not intended as a penalty against States for the enactment of wholesome laws for the elevation of the standard of the electorate, but it was designed to prompt the States to a more active interest in the education and preparation of their citizens for the responsibilities of the ballot. It was expected to operate as a countervailing force. The protection of State and local interests against the danger of an indiscriminate and illiterate electorate on the one hand, and the securing of a larger share of influence in Federal politics on the other hand, were expected to secure a just and wise suffrage equilibrium.

It is the judgment of many of the most thoughtful people of the country at this time that if the whole reconstruction question had been left with the fourteenth amendment what is now called the "race problem" would be in the course of solution along wise and just lines and in harmony with principles that characterize free government.

That amendment is in no sense inconsistent with reasonable educational and property restrictions upon suffrage. Educational laws, especially, are of vital importance to States containing a large illiterate and inexperienced population, where they are uniform in their application and fairly and impartially administered. If a reasonable literary qualification for suffrage were established in all States containing a large colored population, the ignorant and vicious, in a large measure, would be excluded from the ballot and only those of intelligence and character would enjoy that privilege. If the right to vote were

extended as men prepared themselves to intelligently exercise it the result would be to put a premium upon education and character and the ballot would be a mark of distinction and a badge of honor. There would be a constant and powerful inducement for men to qualify themselves to take part in elections, and the standard of citizenship would be increasingly elevated and the right of representation correspondingly enlarged. This is the spirit and philosophy of the second section of that amendment.

But after the adoption of the amendment systems of arbitrary laws were enacted by the reconstructed States, predicated upon the idea that the freedmen would not work except under compulsion, and that they lacked mental and moral force to be safely given any considerable latitude of liberty. These laws were in many cases extreme in their requirements, and it was feared that notwithstanding the provisions in relation to apportionment contained in the fourteenth amendment, the traditional prejudice against citizenizing the colored man in States where he existed in large numbers would be such that he would be disfranchised on account of his color without regard to his fitness. This apprehension, just or unjust, led to the subsequent adoption of the fifteenth amendment, which provides that the right to vote shall not be denied or in any manner abridged on account of race, color, or previous condition of servitude.

The fifteenth amendment has been the subject of much intemperate and unreasonable denunciation. The impression seems to be general that manhood suffrage is conferred indiscriminately and absolutely by that constitutional provision. Its plain and unambiguous language can not be misunderstood. It does not confer upon any citizen or class of citizens the right of suffrage or any other right, except to be protected against unjust and arbitrary discrimination.

The Supreme Court of the United States in a number of cases has declared that that amendment conferred no affirmative right, but that it only prohibited the disfranchisement of citizens on account of the accidents of race, color, or previous condition of servitude. The only effect of that amendment is to limit in a degree the power of the States in fixing the qualifications for suffrage. Aside from the exceptions contained in the amendment, the States have all the control they ever had over the problem of suffrage. They may establish literary or property qualifications or fix any other limitations aside from those mentioned in that provision. A State has the power, in so far as the Federal Constitution is concerned, to provide that no one shall enjoy the right of the ballot who is not able to read and translate Hebrew and Sanskrit or who can not calculate eclipses of the heavenly bodies. A State has the right, in so far as any Federal limitation is concerned, to provide that no one shall exercise the privilege of the ballot who does not pay taxes on property of the assessed valuation of even a hundred thousand dollars. Any one of these enumerated qualifications would be constitutional and valid.

The fifteenth amendment in no manner interferes with the right of the several States to establish such qualifications for suffrage as they may deem necessary. They may adopt all reasonable regulations for the elevation of the standard of the electorate they deem wise. If they apply to all classes alike there is absolutely no limitation upon the power of a State in the regulation of suffrage, except that the State government shall be republican in form.

The so-called reconstruction acts of Congress denied the States then lately in rebellion representation in the Federal Government until they adopted irrepealable State constitutions providing for universal manhood suffrage. Those acts of Congress were solely responsible for indiscriminate negro suffrage and, however honest may have been the motives that prompted them, they were not only unwise, but manifestly in conflict with the Constitution. They were unwise because they made voters of over a million uneducated, inexperienced men, many of whom had no more intelligent conception of the ballot or popular government than mere children. The result was a dismal failure and the whole colored race was unduly discredited.

Those acts of Congress were unconstitutional because under our Federal scheme of government each State must be equal in authority and function with every other State. There can be no distinction between States, and no State can voluntarily surrender an iota of the power reserved to it by the Constitution, because those reservations were made for the welfare of the whole people. Distinctions between the States would utterly destroy that equilibrium that is necessary to the permanency of the Republic.

The fifteenth amendment embodies simply the principle of the political equality of citizenship. That is all there is in it. It declares in effect that there shall not be two classes of citizens in this country based upon arbitrary distinctions; that every



citizen of the land, rich or poor, high or low, white or black, shall stand absolutely equal before the law and the Government, and that all the opportunities and privileges pertaining to citizenship shall be open to all alike without distinction.

The principle contained in that amendment is absolutely essential to the permanency of republican institutions. It does not in any sense prevent a State from protecting its domestic institutions against the inroads of vice and ignorance, but it does declare a principle that is vital to liberty—a principle that must always characterize our Government if it is to fulfill that glorious destiny so implicitly hoped for by the votaries of liberty throughout the world.

The right to vote is not a natural right, neither is it a constitutional right. It is purely a political privilege conferred upon certain members of the body politic for the benefit and welfare of all. While this is true, the ballot is the very foundation of republican government. The entire fabric of this Government is predicated upon the idea that the people will choose their own members of legislatures and other officers to make and administer their laws. This is a "government of the people, by the people, and for the people," and the people can administer it only through elections. The ballot is an essential feature of all conceptions of free government, and it is the policy of the Federal Constitution not to arbitrarily establish, but to encourage, universal manhood suffrage. It needs no argument to demonstrate that the largest diffusion of the right of the ballot, under reasonable safeguards, is the best policy for this country.

The ballot is educative in its influence; it encourages political clubs and economic organizations for the dissemination of knowledge; it inspires a desire for information respecting the science of government; it begets patriotism; it makes its possessor a part of the government, and imposes upon him a degree of responsibility for the wisdom of laws and the success of administration. It is the safety valve through which passion and discontentment may find escape and intelligence and patriotism may find expression. It is the unmistakable policy of republican institutions to confer the ballot, as far as it may be safely done, upon all those who are relied upon to bear the burdens and fight the battles of the government.

Civil and political privileges are practically one. The rights of citizenship and of property are of little value and of small consequence in the absence of the right of the ballot to shield and protect them. No people or race of people can be said in any proper sense to enjoy the privileges of freedom if another people has the power of making and administering their laws.

The power to reduce representation for the disfranchisement of male citizens is one of the most important and valuable powers vested in Congress by the Constitution. It is the only repressive force in the Constitution to prevent the institutions of the States from gravitating into oligarchies and aristocracies. It is the only agency at the command of Congress to secure to the States the guaranty of republican government in spirit as well as in form. For instance, if the State of Pennsylvania, with its large wage-earning population, should establish a property qualification so high that no citizen who did not pay taxes on property of the assessed valuation of \$25,000 should vote, it would leave the political power of the State in the hands of a very few citizens, and while the State might be republican in form it would not be in spirit. It would result in the absolute disfranchisement of the great bulk of the population and the withholding from them of any share in the making and administration of the laws. The State would have a perfect right to make such a law, and the only check upon it vested in the Federal Government is the power to reduce representation in proportion to the disfranchisement. Who among all our people has the prescience to say that no State will ever attempt such a radical suffrage policy? No one will question the constitutional power of any State to establish that kind of a suffrage standard, and, wholly aside from the so-called "race question," the power contained in the Constitution to reduce representation for the disfranchisement of citizens is one of vital importance. Every one of the reconstruction amendments embodies principles as everlasting as justice, equality, and human liberty.

But it is insisted that the reduction provision of the fourteenth amendment was repealed by the adoption of the fifteenth amendment and that the power to reduce representation for disfranchisements, however general or indiscriminate, or however arbitrary they may be, no longer resides in the Congress. No one who makes any pretension to a knowledge of the science of government or of law will approve any such doctrine. The two provisions of the Constitution are to be construed together. The fifteenth amendment prohibits the States from denying or abridging the right of suffrage on account of certain enumerated things, while the fourteenth amendment provides for reduction

when that right is denied or abridged for any reason whatever. The power of the States to deny or abridge the right to vote for lack of education, for lack of property, for the failure to pay taxes, or for any one of a dozen reasons, still exists under the Constitution. A State in perfect harmony with the fifteenth amendment may disfranchise four-fifths of its male population, but the reduction provision will become operative.

Under the two amendments as they now stand a State that makes a valid and constitutional disfranchisement of any portion of its male inhabitants is subject to have its representation reduced by Congress, but if it should attempt to make an unconstitutional disfranchisement of its citizens in law it would be no disfranchisement at all and, of course, there would be no occasion to invoke the power of reduction.

An invalid or unconstitutional denial of the right of suffrage is no denial of that right in the sense of the law, and it would not justify in any degree a reduction of representation. Such unconstitutional denials or abridgments can only be remedied in the courts. The right of the citizen to exercise his political privileges is a right that the courts will protect in the same degree as they will protect his rights of person and property.

The fourteenth amendment was intended at its inception to promote the welfare of the colored inhabitants of the country, but it is written in general terms and it applies to all classes of people without regard to race, color, nationality, or section. The State of Ohio can no more disfranchise any considerable portion of its citizens, white or black, without incurring the penalty of reduction of representation than the State of Mississippi. The reconstruction amendments to the Constitution are not sectional. They apply to all parts of the country alike and their provisions, if enforced at all, should be enforced upon all the States that are subject to them without distinction.

It is plain to the most ordinary thinker who has any knowledge at all of constitutional principles that the fourteenth amendment is operative to-day, and that its field of operation is an exceedingly broad one; that reductions of representation may be enforced whenever and wherever any State, by educational laws, property laws, by religious qualifications, or any other qualifications that it may impose under the Federal Constitution denies or abridges the right to vote.

We hear it asserted that the scheme of apportionment, in so far as it provides for a reduction of representation, is impracticable and impossible of enforcement. All laws and constitutional provisions must have a practical application, and if substantial justice and approximate equality can be attained in their administration that is all that the science of government requires. If absolute justice and exact equality were essential to the validity of laws, there would be no laws.

Many lose sight of the distinction between qualifications limiting the right of suffrage and reasonable regulations established for the orderly and proper exercise of that right. No right is of any value unless it is safeguarded against fraud and imposition, and reasonable regulations for the exercise of the ballot have never been regarded as denials or abridgments of that right, because the right would be of no value whatever unless there were regulations protecting its integrity.

All of the States, as a matter of safety, require a period of residence before the ballot is conferred, and many of them provide for the registration of voters, and most of them have adopted the Australian system of voting with the official ballot. All these requirements are mere regulations upon the exercise of the right of suffrage, and they are not limitations upon the right itself in the sense of the Constitution. They are not intended for the elevation of the standard of the voter, but to protect the honest voter against fraud and imposition, so as to make his right of consequence. They may incidentally bar some citizens from the right to the ballot, but that is a necessary consequence of the proper enjoyment of the right at all. All of the law writers and all of the courts of the country recognize the distinction between regulations for the honest exercise of the ballot and qualifications tending to limit suffrage with a view of elevating its standard. Educational and property qualifications are restrictions upon the right itself. They are denials and abridgments of the right within the meaning of the Constitution. They are in no sense calculated to safeguard the ballot against fraud and imposition, but their sole and only purpose is to limit the right to the most intelligent and substantial class of citizens.

I know it is claimed that an educational qualification is not an abridgment of the right to vote within the sense of the Constitution. I have read an extract from Cooley's Principles of the Constitution declaring that doctrine, but a moment's reflection will convince the mind of any lawyer of the utter fallacy of that contention. It is insisted that the art of reading and writing is within the reach of all the citizens, and, therefore, an



educational law does not disfranchise, because it is in the power of the citizen to possess the qualifications. A large percentage of our citizens do not possess it, and because they do not the right of the ballot is withheld from them. The Constitution says that if the right is denied or in any way abridged. The right is abridged by the imposition of qualifications intended to abridge it. If an educational qualification is not an abridgment of the right to vote, what would be? If the art of reading and writing simply is not an abridgment, what degree of educational requirement would be an abridgment? Would a knowledge of the principles of natural philosophy, of mathematics, of astronomy? If every intelligent person may acquire the art of reading and writing he may acquire also a knowledge of the sciences. It is not a physical impossibility.

It is idle to claim that educational laws are not abridgments of the right to vote within the sense of the Constitution. There is no court of respectable standing in all this country where the question has been up for decision that has not so held. Whatever may be said of the statesmen of the reconstruction period—the men who framed and promoted the reconstruction amendments—they have never been accused of stupidity. They knew at the time the fourteenth amendment was proposed and adopted that practically every colored man in the insurrectionary States was illiterate and that an educational qualification—even a limited one—would disfranchise every one of them. Were those eminent statesmen guilty of such supreme folly in establishing a plan of apportionment with the view of reducing representation for denying or abridging the right of the colored man to vote, as to deliberately confer upon the States the power to absolutely withhold the ballot from every colored citizen with entire impunity? It is beyond human credulity to believe that any such interpretation was intended by them or by the country in adopting the amendment. Mr. Fessenden, a Senator from Maine—one of the ablest and most conservative men of the time—who perhaps had as much to do in promoting the amendment as any man in public life, in an able speech upon the fourteenth amendment while it was pending for consideration, frequently referred to the disfranchisement of the negro by educational and property laws. He said he expected it would be done, but the consequent reduction of Federal political power would prompt the States to educate the negro and prepare him for suffrage.

On the 6th day of September, 1871, President Garfield, in a speech in the House of Representatives upon the apportionment bill under the census of 1870, used this language in relation to educational laws affecting the right of suffrage.

In the State of Massachusetts people are deprived of suffrage on account of inability to read and write. All such persons, under the constitutional amendments which I have indicated, must be subtracted from the total population of Massachusetts before we can know what is her representative population. If in the Southern States men are still denied the right to vote in consequence of race or color or for lack of property qualification, their total must be reduced accordingly. I do not know how large the sum to be subtracted is in any State. I am aware that the facts were very difficult to ascertain, and perhaps the result may not change the number of Representatives in any State; but it is clear that we ought to have all the facts before we proceed to fix the relative number of Representatives of the States.

And on the 12th day of the following December Judge Shellabarger, of Ohio, one of the ablest lawyers in the House, in the course of a speech upon the same measure, said:

Now, I say it was the design of this constitutional amendment, and it was a beneficent one, that wherever a State may choose to do that thing—and the State may do it—the fourteenth amendment does not take away the power of the State to do it. You in Massachusetts may establish your qualification of intelligence, or you in New York and Rhode Island may establish your property qualifications as you may please, but you take the consequences in their effect upon your power in this House. You have your choice. The design of this constitutional amendment was that the poor man, the ignorant man, the colored man should be secured, should be guaranteed his right to vote; that the States should not deprive him of his right of representation except by taking the consequences of not having in this Hall representation for those of his class.

It is useless to contend, under language so broad and comprehensive as is contained in the Constitution, that a State may establish an educational qualification depriving a large percentage of its male citizens of the right of the ballot without incurring a reduction of representation.

There will be little or no practical difficulty in the enforcement of the second section of the fourteenth amendment. At the time that amendment was adopted all of the States had regulations respecting residence and many of them in relation to registration of voters. These regulations were quite general in the States and each State was affected by them in substantially the same degree, so if they were even regarded as abridgments of the right to vote, their practical operation would affect nobody. If each State were affected in the same degree by election regulations in the apportionment of political power,

no State would be affected at all. At the present time none of the States have property qualifications that affect the right of suffrage in the sense of the Constitution. The State of Rhode Island, by a property requirement, limits suffrage in relation to municipal elections and elections involving the imposition of taxes and the appropriation of money. That may be done in perfect harmony with all the provisions of the Federal Constitution. It does not affect the basis of representation at all.

For the purpose of illustrating the entire practicability of the fourteenth amendment under existing conditions, I propose to deal exclusively with educational laws. As I have said, laws fixing an educational qualification upon the ballot are valid and constitutional, wherever they are impartially administered and made to apply to all classes of citizens alike. Some of the States have made arbitrary and unjust discriminations in their election laws, based upon accidental conditions. They do not in terms discriminate against the negro, but in effect they operate against him on account of his color, and not against the white man. These provisions are popularly termed "grandfather clauses." I am quite familiar with the several State constitutions upon the subject of suffrage, and, in my opinion, the provisions for educational qualification standing alone are entirely valid and constitutional. The discriminatory provisions that make the limitations operate against the colored man and not against the white man, in my judgement, are invalid and unconstitutional, and whenever the question is presented to the Supreme Court of the United States so that it can be squarely decided, that exalted tribunal will hold that the educational provisions are entirely valid, but that the discriminatory provisions are unconstitutional, and the effect will be to make the educational laws operative upon all classes of citizens alike without regard to race or color. The States that have educational qualifications upon the right of suffrage are Alabama, California, Connecticut, Delaware, Florida, Louisiana, Maine, Maryland, Massachusetts, Mississippi, North Carolina, South Carolina, Virginia, Washington, and Wyoming. Under a fair and honest administration of the election laws in those States no illiterate has the right to the ballot.

It is true that in a few of the States mentioned there is what is called an understanding clause—a provision to the effect that if the applicant for registration is unable to read or write the Constitution, but is able to explain any section thereof when read to him and give it a reasonable interpretation, he may still vote. Everyone knows that a person who can not read or write in some language can not give a reasonable interpretation of any provision of the Constitution that may be submitted to him. That provision is of no practical importance excepting in States where the applicant for registration is required to satisfy a partisan board of registrars of his ability to read or understand. If the registrars should be inclined to unfairly administer the law, when one applies for registration whom they desire to possess that right, he only need to say that he can read or understand. On the other hand, if the applicant is not in favor with the registrars, either personally or politically, they can put him through a test that would exclude every illiterate and even many who may be able to read and write fairly well.

The reports of the Twelfth Census show that the percentage of illiterate males 21 years of age and upward, who are citizens of the United States in the several States mentioned, is as follows:

	Per cent.
Alabama	33.5
California	2.9
Connecticut	2.6
Delaware	13.2
Florida	22
Louisiana	36.3
Maine	4.2
Maryland	12.5
Massachusetts	2.2
North Carolina	29.3
South Carolina	35
Virginia	25.2
Washington	2.2
Wyoming	2.9

In those States the male inhabitants 21 years of age who are citizens of the United States have been disfranchised according to the percentages named if the laws are fairly and honestly administered, assuming that every male citizen returned as literate can comply with the requirements of the laws. As a practical proposition everyone knows that many people, prompted by motives of pride and standing, report themselves to the census enumerators as able to read and write, when, as a matter of fact, they do not possess those qualifications, and in the actual administration of the election laws in the States it is likely that more people will be denied the right to vote who are returned as literates than will be admitted under the under-



standing and property provisions. It is at least certain, to a reasonable extent, that the male citizens of the States named are disfranchised to the degree expressed by the percentage of illiteracy in the table that I have given.

It is not a difficult matter to enforce the reduction provision of the fourteenth amendment under these conditions. In the State of Mississippi at least 33 per cent of the male inhabitants 21 years of age who are citizens of the United States are disfranchised by a fair and honest administration of the election laws, and the basis of representation of that State should be reduced 33 per cent. It is a plain problem of mathematics. No injustice can be done.

It is contended that the proposition to enforce the amendment is purely sectional. If it is sectional, it is because the conditions that make it operative exist in certain sections of the country and not in others. I confess that under existing conditions reductions of representation under the operation of that amendment would be almost exclusively in the Southern States that have educational laws. But we are told that the State of Mississippi, for instance, ought not to be "penalized" because it has done only what the State of Massachusetts did more than a half century ago and is doing yet to-day, and that if the law is enforced in Mississippi it must also be enforced in Massachusetts. The total population of the State of Mississippi, according to the last census, is 1,551,270. This population furnished the basis of representation for that State under the present apportionment.

We know as a matter of absolute certainty that at least 33 per cent of the male citizens of that State of voting age are disfranchised by the operation of the election laws. The basis of population, then, in accordance with the plan of reduction, should be reduced 33 per cent, and the balance, after such reduction has been made, should constitute the basis of representation for that State. Subtracting 33 per cent from 1,551,270 leaves a representative population of 1,039,351, and this divided by 194,182, the unit of representation, giving a representative for a majority fraction, would give the State five Representatives instead of eight, the number it now has.

On the other hand, the total population of the State of Massachusetts under the Twelfth Census is 2,805,346, and the number of male inhabitants over 21 years of age in that State is 843,465. The number of male illiterates 21 years of age and over is 53,694, but an examination of the census reports shows that of this number 34,811 are aliens and not citizens of the United States, so that the number of male citizens who are illiterate is only 18,883. This amounts to 2.2 per cent of the total number of male inhabitants 21 years of age. Subtract 2.2 per cent from the total population of the State, which was taken as the basis of apportionment and upon which that State has a representation of thirteen, and divide the remainder by 194,182, the unit of representation, and that State will still have thirteen Representatives, so it is seen that by applying the same rule to the State of Massachusetts as is applied to the State of Mississippi—States that have substantially the same kind of electoral qualifications—the State of Mississippi will lose three of its Representatives, while the State of Massachusetts will lose none. This result is not a sectional one, but it is because of the very small percentage of illiteracy in Massachusetts and the large percentage in Mississippi. If the conditions were reversed Massachusetts would lose five of her Representatives and Mississippi would lose none.

In the State of California there is a considerable number of illiterate males 21 years of age, but the census reports show that they are principally Chinese and not citizens of the United States, and they are incapable of becoming citizens. Only 2.9 per cent of the male citizens 21 years of age in the State of California are illiterate and disfranchised by the operation of her laws. To subtract 2.9 per cent from the basis of her representation would not make any difference at all in her delegation in Congress. So, I repeat, that while the provisions of the Constitution are not sectional, and the proposition to enforce the Constitution is not inspired by any sectional feeling, it is true that the effect of its enforcement would operate almost exclusively, under the present conditions, upon States in the South. In the next apportionment a reduction of the basis of representation of 2 per cent even might convert a majority fraction for which a Representative is given into a minority fraction and cost a State one Representative. It is utterly immaterial, however, where the reduction would be effected. The question to be considered is, Shall the Constitution be the basis of the Union and measure and define the rights and responsibilities of the States toward the Federal Government and in their relations to each other? The question is, Shall apportionment be based upon the constitutional scheme, or shall certain States that have disfranchised a large number of their

population and eliminated them from their politics altogether still retain representation in the Federal Government on their account?

The Constitution is imperative in its requirements, and each Member of this body with uplifted hand solemnly swore to support it—not part, but all of it. Shall we hesitate to observe that solemn obligation? Shall we silently acquiesce in rendering an important provision nugatory? Is it for the representatives of the people to say they will respect and obey some portions of the charter of government and other portions they will ignore? If the Congress arrogates to itself the right to obey only such provisions of the supreme law of the land as it deems wise and prudent, why has not every municipal board or local magistrate the right to say which of the State laws they will enforce and which they will not? In this connection I quote the language of Junius, that great anonymous critic of English politics and administration, who lived and wrote before this Government was established:

Let me exhort and conjure you never to suffer an invasion of your political constitution, however minute the instance may appear, to pass by without a determined, persevering resistance. One precedent creates another. They soon accumulate and constitute law. What yesterday was fact, to-day is doctrine. Examples are supposed to justify the most dangerous measures, and when they do not suit exactly the defect is supplied by analogy. Be assured that the laws which protect us in our civil rights grow out of the constitution, and that they must fall or flourish with it. This is not the cause of faction or of party, or of any individual, but the common interest of every man in Britain.

We will do well to heed these wise words of warning. If we allow an important provision of the Constitution to be rendered nugatory by constant and continued violations, the constitutional guaranties will all be more or less weakened. One State after another may impose arbitrary and unreasonable restrictions upon suffrage and oligarchies be thus created, while the only remedy in the power of Congress will have become obsolete by general acquiescence in its continued and persistent nullification.

Complete and perfect homogeneity and political fraternity among the people in all parts of the country is a thing to be desired by all lovers of this splendid Government of ours, but it will be exceedingly difficult to secure such a general spirit of brotherhood and national unity as long as there is a well-grounded impression that some States are given representation in Federal politics that they are not entitled to under the Constitution. The agitation of the race question and the suffrage problem may be decried by politicians and commercialists, but it will be difficult to suppress it until the principles and provisions of the Constitution are recognized throughout the length and breadth of the land.

In the election of President and Vice-President each State shall appoint, in such manner as the legislature thereof may direct, a number of electors "equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress." The number of electors given the several States is equal, not to the number of Senators and Representatives which each State actually has, but the number to which each State is entitled. Suppose some of the States should have more Representatives in the House than they are entitled to under the Constitution, and an election for President and Vice-President should turn upon the question whether the electors standing for the superauthorized Representatives should be allowed to vote, what would be the result? The claim might well be made that if any State has more Representatives than it is actually entitled to its electoral vote should be limited to the number of Representatives that the Constitution authorizes. Who can say that in stress of politics and partisanship this very question will not confront the people in the near future? It is a plausible position, and under conceivable conditions of party excitement and popular feeling what more would be wanted? Is there a Member of this House that does not realize that this very contingency may come about?

Shall we allow our institutions to rest over a volcano of such possible danger? Is it wise to continue a condition that may result in revolution and bloodshed? Is it not more prudent to base representation upon the Constitution, so no question that will be a menace to the safety and permanency of the Republic can ever arise from that source?

It is generally known and openly avowed in the States where the colored population exists in large numbers that the election laws are designed and administered to disfranchise the negro. No one acquainted with conditions in those States will undertake to deny that statement. It is generally understood that the negro, as a factor in the politics of the country, is practically eliminated; that he has absolutely no voice in making the laws and no share in their administration. The conditions under which he lives are entirely in control of the white population.

By necessity a large share of our own race do not have the right to vote. The women, the children, and many unfortunate members of society are denied the ballot for the general welfare, but they are citizens clothed with all the privileges and immunities of citizenship. They are of our own race and blood, and they are the objects of our tenderest affection and our most anxious care. Their interests appeal to every impulse of our natures, and they are adequately represented through the voter, both in the making and enforcement of the law. They can have no stronger guaranty of justice, liberty, and equality than the love and solicitude of stalwart American manhood. It is stronger than constitutions and laws. But is that the case with the disfranchised colored citizen? He has no voice in making the laws and no hand in their enforcement. He is denied the right to perform jury service and many other civic functions that grow out of the right to vote. His controversies in the courts must all be determined by men of another race, and he must be satisfied with the result. Can it be said in States containing a large negro population that the whites have such high regard for his welfare that his liberties and his dearest interests are rendered secure in all exigencies that may arise?

These and many other considerations of a like character were in the minds of the men who proposed and promoted the fourteenth amendment, and the reduction proposition was designed as an artificial substitute for that natural link of security that exists between the white voter and the nonvoter of his own race, but which is conspicuously absent between members of the different races. By a curtailment of political power for the disfranchisement of the colored man the States have an active and vital concern about his education and elevation, so he may become a voter, and thus expand the basis of their representation.

There is much boasting talk about white supremacy. This Government is founded upon the absolute equality of all the citizens in their civil and political rights, without regard to race or color. As a practical proposition there is white supremacy and will be for all time to come, because of the superior intelligence and virtue of the white race, but that is the supremacy not of white skins but of virtue and intelligence, and is entirely in harmony with that splendid ideal of the perfect equality of citizenship. The door of hope and opportunity should always remain open to the humblest citizen of the land, without regard to color or creed.

If the colored citizen is to be eliminated from politics and government, what right in law or morals has the white man to have representation in Federal politics for him? If there be such a right, why should it be monopolized by the citizens of a few of the States only? It is fundamentally wrong and contrary to the very genius of Republican institutions. Why should one voter in the State of Mississippi have as much power in shaping and administering policies and legislation in the Federal Government as two voters in the State of New York? It is rank inequality, and inequality is injustice. It is contrary to sound governmental policy, for it gives a premium upon disfranchisement. If a limited class of citizens practically control the politics of a State, no argument or persuasion can prompt them to voluntarily share that power with others who are helpless to secure it for themselves. It is not alone a question of the political equality of the negro with the white man, but it is a question of equality among white men. It is a question in which the citizens of all the States are concerned.

But we are met with the argument that if representation is reduced it is a condonation of disfranchisement; that it is equivalent to a compact between the Federal Government and the disfranchising States to the effect that they may disfranchise and abridge the right to vote without limitation on condition that they surrender a proportionate amount of representation. I have shown in the early part of my remarks that such a thing is an impossibility; that it is only where a State constitutionally exercises its power to abridge the right to vote that representation can be reduced. Reduction of representation condones no unconstitutional law; it excuses no unlawful administration of the right of suffrage; it withholds no right from a single citizen.

It is not my intention to go into what is called the "race problem" to any great length, but I will say that the colored man, being a citizen of the United States, should be accorded all of the privileges and opportunities that pertain to citizenship. He should have the right to educate himself, to advance industrially, commercially, and in every other way. I am not here to condemn or discourage the enactment of educational qualifications upon the right of suffrage or even property restrictions, under proper circumstances.

I confess that a large percentage of colored citizens is not fitted for a proper exercise of the ballot, but the percentage that

is fitted, small though it may be—the percentage that by intelligence and character is qualified to wield the ballot—should be accorded that right as freely and ungrudgingly as it is accorded to the white man, and the colored men who prepare and equip themselves in the future for that important function should be rewarded for their accomplishments.

No intelligent person contends for what is called social equality among members of the two races. That is a question above and beyond constitutions and acts of Congress. It is injected into the discussion of this delicate and difficult problem apparently for the purpose of exciting feeling and prejudice. There is no possibility of social equality between the races under existing conditions, or until both of the races desire it, and it is not likely that such a state of public sentiment will ever come about.

The fear is expressed by many people that civil and political equality will lead to the ultimate amalgamation of the races, and upon that fear is based the determination to keep the negro in complete subjection. The supremacy of the white in the sense in which that expression is used in the discussion of this question means the absolute and permanent subordination of the negro.

It is sincerely believed by many thoughtful people that it is a mistake to educate the negro; that education inspires him with an ambition to advance his condition and assert his citizenship, and that any attempt along that line will be met with the most stubborn resistance; that the negro is to be tolerated only if he keeps his place, but that his place is that of perpetual and eternal servitude and subjection.

This statement is justified by the apparent general sentiment in favor of the repeal of the fifteenth constitutional amendment throughout the South. There are a number of resolutions pending with the committees of the House at this time providing for the abrogation of that amendment. I have sufficiently shown that the States now have the power to protect the ballot against vice and ignorance. They make and enforce laws without limitation or restriction for the elevation of the standard of the voter, but the laws must have impartial application between the races. Why is there such a desire to repeal the fifteenth amendment? There is but one answer to the question and that is, so the negro may be disfranchised because of his race. It is not a question of character, but a question of color. There is an abundance of authority now to predicate suffrage upon character, and the objectionable constitutional provision only stands in the way of arbitrarily basing it upon color. It is the only safeguard against political caste—an institution that deserves the undying hatred of all lovers of liberty in this free land.

It seems to me that the best way to prevent the amalgamation of the races is to encourage the education and advancement of the negro and inspire negro citizenship, male and female, with more of self-respect, a higher appreciation of the virtues of chastity and the purity of womanhood and the integrity of the family.

The assertion is frequently made that the negro is positively degenerating; that the present generation is more worthless and vicious in its tendencies than the generation immediately following the civil war. In the problem of race development one or two generations count for but little. The negroes who were made free by the civil war had the discipline of servility; they had learned the lessons of industry, obedience, and simple living under compulsion. The present generation is the first one of that race to carry the full responsibilities of freedom, and its palpable want of the sturdy qualities of self-reliant manhood is no evidence of its degeneration, but discloses the inherent intellectual and moral weakness of the race. Centuries of life in slavery would never develop the strong qualities of manhood.

Education is not a complete solution of the question; it will require generations of patient tolerance and encouragement to develop that which is good and overcome that which is bad. The law of natural selection, whatever may be said of other forces, has been one of the most potent of all the influences in race development. The virtues possessed by the Anglo-Saxon to-day have come to be largely instincts. They are the concentration of the good qualities that have come from two thousand years of struggle and experience. During that long period of conflict and strife the weak and the unworthy fell by the wayside. They became the victims of vice, of poverty, of crime, of ignorance and superstition, and only those of the best intellectual and moral fiber survived the ordeal. The negro must win his way to a better standard of civilization in the same manner, aided, however, by modern advantages. We may surround him with helpful influences. We must hold before his mind constantly the rewards of virtue, but at the same time he must earn his right to complete recognition by the acquisition



of manly qualities that will commend him to the favor of the good and the just. He must not depend too much upon statutes and political privileges. He only needs a "square deal" from the Government and he must do the rest. He is expected to adjust himself to the white man's civilization—a civilization containing the concentrated forces of more than two thousand years of growth and experience. He must make this adjustment or his fate will be extermination, not by force and violence, but by his lack of ability to accommodate himself to the essential conditions of his environment.

I predict that in fifty years there will be fewer colored people in this country than there are to-day, and as they decrease in numbers they will improve in quality. I believe the negro has within himself the power to solve the problems of civilization and to become a useful and helpful factor in society. But he should be treated as a citizen, and held strictly responsible for his mistakes and his crimes and given due credit for his goodness. The prejudice against the negro is not confined to any particular locality, but it exists wherever the colored population exists in any considerable numbers. It is not necessarily a persistent racial hatred, but rather an aversion growing out of the fact that the colored race, from lack of experience, from lack of that helpful process of elimination that comes from a long struggle with the problems of civilization, does not possess the sturdy qualities of character that the white man feels should be expected of him. Among the first things for him to learn are the lessons of industry, frugality, and integrity. He must have forethought enough to know the importance of property, honestly acquired, as a factor in civilization. Considering his opportunities, the negro is making commendable progress along the lines that lead to a better standard of life, and by earnest perseverance he will ultimately conquer whatever prejudice may exist against him on account of his color.

There is only one way to solve the race problem, and that is to recognize the negro as a citizen in the full meaning of that term, exempting him from none of its responsibilities and withholding from him none of its benefits. He must have the same rights, bear the same burdens, and suffer the same penalties, imposed in the same manner, as other citizens in circumstances like his, and time and a tolerant, forbearing spirit will work out correct results.

The policy of the complete and permanent subserviency of the negro—the policy of those who seek the abrogation of the fifteenth amendment—the policy of the champions of the doctrine of white supremacy as such—is in direct conflict with the very spirit and genius of free government. That policy means caste of the most hateful character. It means the stifling of all hope, the suppression of all ambition in the hearts of 10,000,000 citizens; it means that they shall carry the burdens of freedom and be denied its privileges and immunities; it means practical slavery. Abraham Lincoln said: "This country can not survive half slave and half free." Neither can this country survive half serf and half sovereign, half vassal and half voter.

The policy of holding the negro in complete and perpetual subordination would be absolutely destructive of republican government, and it can not be thought of with complacency. If the colored race advances it must be possessed of ambitions and hopes for higher things, and it will insist upon the fundamental rights of citizenship. It will make mistakes and do things that will exasperate the more intelligent and experienced members of the white race, but it will profit by its mistakes. The question carries embarrassments from whatever side it may be viewed, but the policy of maintaining two standards of citizenship, by which one portion of the population holds absolute and arbitrary control over the welfare and destiny of another portion, however benevolent that control may be, creates conditions that are sure to bring trouble and disaster in the future.

The question is not a sectional one in the broad sense that it involves the fundamental rights of citizens and the integrity of the Republic. In the sense that it involves order, security, peace, and morals the question is local, but to the extent that it involves the great principles of liberty, justice, and equality the question is a national one.

It is not necessary for one to live in immediate contact with a large negro population and be personally familiar with its vices and virtues in order that he may know the fundamental laws that are at the very basis of race progress and free institutions. The law that all citizens must be equal in their civil and political rights is as imperishable as human liberty. It is not necessary for one to visit the heavenly bodies that he may know the law that directs their orderly operations.

But I have no fear about the outcome. The indestructible principles underlying the Republic are too firmly woven into the fabric of our civilization, too thoroughly ingrained into the

lives of our great liberty-loving population to perish from our national life or lapse in any considerable degree.

But aside from all speculation about the destiny of the negro the immediate question whether the constitutional plan of apportionment shall be enforced deserves the most serious consideration of all the people. As a matter of common justice it would seem that if the negro is not fit to vote or take part in politics in a particular State, that State should have no right to representation for him or to vote him against the other States in making laws and fixing policies for the whole country. It is a moral axiom that to the extent that representation is given for the negro population the colored man ought to have the right to vote.

Elections in some of the States have come to be meaningless ceremonies. The only real contests are at the primaries, and they are controlled exclusively by the whites in the dominant party. There is so little interest at elections that only a small percentage of those actually entitled to vote attend them. Frequently at general elections fewer votes are cast in a State than has seven or eight Representatives in Congress than are cast in a single Congressional district in Ohio or Indiana. The number of votes polled at elections in those States is not a true criterion of the number that may be entitled to vote under the law, but the registration records show approximately the voting force. In several States less than 40 per cent of the male citizens 21 years of age are registered. Under these conditions elections must largely lose their significance. They no longer mean the expression of the sovereign will upon laws and policies. The race problem is the overshadowing, all-absorbing issue, compared with which all other questions sink into nothingness. Instead of being the agency through which the voters cooperate to promote the freedom and prosperity of the country, elections are used as an instrumentality to hold a race composed of millions of people in subjection and dependency.

In my judgment, if the apportionment of Representatives was made strictly in accordance with the constitutional plan, the effect would be wholesome and beneficial to the people of all races in all parts of the land. The result would be a reduction of about twenty Representatives in the Southern States, but in a large degree it would remove the troublesome race problem from the politics of the country. The whole question would then rest with the South, and in the near future that section would realize the importance of admitting the worthy and intelligent negro to the right of the ballot in the securing of a larger influence in Federal politics, and when that right is admitted voluntarily by the people of that section it will be valuable and permanent. When the negro is recognized as a citizen and is secure in the fundamental rights that pertain to citizenship, time and mutual forbearance can not fail to accomplish all that can be hoped for.

I quote from an able article written by Bishop Strange, of North Carolina, and published in a recent number of the Churchman, these wise and noble words:

What should the white men of the South do for the negro? They must give him a free hand, a fair field, and a cordial godspeed, the two races working together for their mutual benefit and for the development of our common country. He must have liberty, equal opportunity to make his living, to earn his bread, to build his home. He must have justice, equal rights, and protection before the law. He must have the same political privileges; the suffrage should be based on character and intelligence for white and black alike. He must have the same public advantages of education; the public schools are for all the people, whatever their color or condition. The white men of the South should give hearty and respectful consideration to the exceptional men of the negro race, to those who have the character, the ability, and the desire to be lawyers, physicians, teachers, preachers, leaders of thought and conduct among their own men and women. We should give them cheer and opportunity to gratify every laudable ambition, and to seek every innocent satisfaction among their own people. Finally, the best white men of the South should have frequent conferences with the best colored men, where, in frank, earnest, and sympathetic discussion they might understand each other better, smooth difficulties, and so guide and encourage the weaker race.

I cordially agree with every thought and sentiment expressed in that quotation.

It is not likely that there will ever be a spirit of close political fraternity between the two races, but there may be a mutual recognition of the rights and responsibilities of each, and the constituents of the respective races may cooperate, each according to his own temper and intelligence, toward the promotion of the common welfare.

In advocating the policy I have discussed in this speech I am prompted by no sectional feeling or prejudice. I have nothing but the kindest feelings for all the people in all parts of this great country, and I rejoice in their happiness and prosperity. The 80,000,000 people who live under the Stars and Stripes constitute a single community—one family or brotherhood of Americans. No section or class of this great community can enjoy

prosperity without that prosperity being shared in some degree by every other section or class, and no part of the people can suffer misfortune and disaster without that misfortune and disaster being reflected in some measure upon all the people.

The entire country has enjoyed a degree of material prosperity during the last eight years that has never been equaled in the history of the nation, and if there has been one section upon which the sun has shone with richer blessings than another, that section is what we call the "South." Her enterprise has taken on a new energy, and her activities have brought forth increased wealth. But material prosperity is not the chief aim of civilization, nor the accumulation of wealth the chief purpose of life. Wealth is a powerful factor in civilization when rightly used, but it should always be subordinated to the higher purposes of sturdy, upright, forceful, individual character. With all our splendid increase in wealth and power as a nation, unless there has been a corresponding growth in the moral and intellectual lives of the people, it signifies but little. Unless the great principles of liberty, justice, and equality have an increasing influence in our lives, individually and collectively, we can claim but little in the way of permanent progress as a people.

Uniform ideals in all parts of the land respecting the rights and liberties of the individual will have a powerful tendency to cement our people in a closer bond of brotherhood.

The everlasting principles embodied in the Declaration of Independence and the Federal Constitution should be reflected in all our laws and policies, and the eternal verities of justice and equality should be translated into active realities in all our institutions. With these noble maxims of government ever inspiring our people there can be no serious sectional differences, and the destiny of the Republic as the greatest progressive factor in the world's civilization is assured. [Applause.]

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. McCREARY of Pennsylvania having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 17984) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1906, and for other purposes, disagreed to by the House of Representatives; disagreed to the amendment of the House to the amendment of the Senate No. 2; had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. QUARLES, and Mr. BLACKBURN as the conferees on the part of the Senate.

#### SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. BENTON. Mr. Chairman, I yield forty minutes to the gentleman from Arkansas [Mr. WALLACE].

Mr. WALLACE. Mr. Chairman, I believe it has not been my habit to trespass long or often upon the indulgence of the House, but an extract from the speech of the gentleman of Illinois [Mr. BOUTELL] recently delivered in New York at the McKinley banquet and read in this Chamber by the gentleman of Louisiana [Mr. RANDELL], caught my ear. But not until the recurrence of similar utterances in different parts of the country, did I conclude to offer any remarks on the South—some of her ideals and problems. To his credit, be it said, the gentleman of Illinois in a former session of Congress uttered sentiments not less significant and patriotic. In his New York speech, among other things, he said: "A great and wonderful change has come over the South in the past twenty years," and felicitated her upon the present vitality of leaf and branch, sprung from her withered trunk. In the same spirit, I wish to say, a wonderful change has come over both the South and the North in the past twenty years, and in a high and noble sense, the better feeling and understanding of the one for the other, which is a matter of felicitation for the whole country. Another gentleman of Illinois [Mr. PALMER], closing his remarks in the Swayne impeachment proceedings on this floor, administered a fine rebuke to excessive partisanship and sectional strife. He said:

The assertion has been freely made by Members on the floor that they would never vote to impeach a northern judge on the complaint of Southern Democrats. I thought the war was over. We have been boasting that the South was again marching to the music of the Union. We have pointed with pride to the fact that the blue and the gray pressed shoulder to shoulder up San Juan Hill, following the Stars and Stripes, and that they mingled their blood in defense of the flag. We have boasted that Wheeler and Fitzhugh Lee, who won distinction under the stars and bars, have taken command under the Stars and Stripes.

Is it all a sad mistake? Is it true that justice is to be denied the people of the northern district of Florida because they are Democrats and were Confederates? Is it true that the battles fought with bullets are, after forty years have passed away, always to be followed by campaigns of hate?

I stand here to say that it is a bitter, burning shame that an attempt has been deliberately made to inject political prejudice into this case and to thereby influence votes against the impeachment of Charles Swayne.

I paraphrase the words of the greatest of American statesmen and orators when he said, "Men of New England, conquer your prejudices." I say, "Men of the North, conquer your prejudices."

To this, Mr. Chairman, it may be well to add the injunction, "Men of all sections, conquer your prejudices!" [Applause.]

General Fitzhugh Lee, at Canton on the anniversary day of the birth of William McKinley, said:

The weapons of Grant and Lee have been sheathed forever. The sabers of Sheridan and Stuart have been returned to their scabbards, and the tents of Sherman and Joe Johnston have been pitched forever on the eternal camping grounds, and all over this land at this hour is shining the great orb of peace in all the splendor of unclouded majesty.

The birth of the man whose memory we unite in recalling to-night is a great event and should be annually celebrated by all of our people. Let us not forget; let us not forget that he was a foe without hate, a friend without treachery, a soldier without cruelty, a public officer without vice, a private citizen without reproach, a Christian without hypocrisy, a man without guile.

Mr. Chairman, these words bear the import of noble purpose and conviction, and ought to find a responsive chord in the heart of every patriot. Who bearing the name of American, and at a time forty years removed from the nation's carnage of blood, the nation's nightmare of war, can afford to fall below the full stature of a patriot? The most disconcerting rebuffs to such patriotic and conciliatory utterances are found in the animus of national campaigns and in the budgets of misinformation, circulated in and out of season by irresponsible pamphleteers. In the whirlwind desire to win a political battle, men even of high station, hurl "blood and thunder" philippics against sections and kindle anew the fires of hate. It is shameful, regrettable. But the campaign mendicant, hitherto intrenched behind passion and prejudice, must ultimately find himself without occupation and succumb to the blows of men who strike for home and country. But in this connection I can not do better, perhaps, than quote an extract or two from the speech of Senator Hoar at Charleston, S. C., in 1898. Before the banquet of the New England Society of that city he said:

If there be a single lesson which the people of this country have learned from their wonderful and crowded history it is that the North and South are indispensable to each other. They are the blades of mighty shears, worthless apart, but when bound by an indissoluble union, powerful, irresistible, and terrible as the shears of fate; like the shears of Atropos, severing every thread and tangled web of evil, cutting out for humanity its beautiful garments of liberty and light from the cloth her dread sisters spin and weave.

And again:

Mr. President, I repeat to-night on Southern soil what I said first in my place in the Senate, and what I repeated in Faneuil Hall, with the full approbation of an enthusiastic and crowded audience, representing the culture and the Puritanism of Massachusetts.

The American people have learned to know, as never before, the quality of the southern stock and to value its noble contribution to the American character; its courage in war, its attachment to home and State, its love of rural life, its capacity for great affection and generous emotion, its aptness for command; above all, its constancy, that virtue above all virtues, without which no people can long be either great or free. After all, the fruit of this vine has a flavor not to be found in other gardens. In the great and magnificent future which is before our country you are to contribute a large share, both of strength and of beauty.

The best evidence of our complete reconciliation is that there is no subject that we need to hurry by with our fingers on our lips. The time has come when Americans, North, South, East, and West, may discuss any question of public interest in a friendly and quiet spirit without recrimination and without heat, each understanding the other, each striving to help the other, as men who are bearing a common burden and looking forward with a common hope. I know that this is the feeling of the people of the North. I think I know that it is the feeling of the people of the South. In our part of the country we have to deal with the great problems of the strife between labor and capital and the government of cities where vast masses of men, born on foreign soil, of different nationalities and of different races, strangers to American principles, to American ideas, to American history, are gathered together to exercise the unaccustomed functions of self-government in an almost unrestricted liberty. You have to deal with a race problem rendered more difficult still by a still larger difference in the physical and intellectual qualities of the two races whom Providence has brought together.

We have not yet solved the problem how men of different races can dwell together in the same land in accordance with our principles of republican rule and republican liberty. I am not one of those who despair of the solution of that problem in justice and in freedom. I do not look upon the dark side when I think of the future of our beloved land. I count it the one chief good fortune of my own life that as I grow older I look out on the world with hope and not despair. We have made wonderful advances within the lifetime of the youngest of us. While we hear from time to time of occurrences much to be deplored and utterly to be condemned, yet, on the whole, we are advancing quite as rapidly as could be expected to the time when these races will live together on American soil in freedom, in honor, and in peace, every man enjoying his just right wherever the American Constitution reigns and wherever the American flag floats—when the influence of intelligence, of courage, of energy, inspired by a lofty patriotism and by a Christian love, will have its full and legitimate effect, not through disorder or force or lawlessness, but under the silent and sure law by which always the superior leads and the inferior follows. The time has already come when throughout large spaces in our country both races are dwelling together in peace and harmony. I believe that



condition of things to be the rule in the South and not to be the exception. We have a right to claim that the country and the South shall be judged by the rule and not the exception.

But we want you to stand by us in our troubles as brethren and as countrymen. We shall have to look, in many perils that are before us in the near future, to the conservatism and wisdom of the South. And if the time shall come when you think we can help you your draft shall be fully honored.

These extracts may not furnish a complete solution of the problems touched, but they point out middle ground that may, by earnest understanding, be ultimately occupied. But it is the fine, patriotic spirit in which he approaches them that shall bear fruit to the present and to future generations.

It will be remembered that Senator Hoar passed, as he himself said, most of his life in almost constant strife with the leaders of the southern people. But away from party creed, away from partisan bias, on the very hilltops of expanded vision and broadened life, his eloquence mellowed and pregnant with lessons of the years gone and inspiration for the years to come, the venerable Senator proclaimed his message, set the vital forces of conservatism abreast of problems that appeal for solution, to the highest wisdom of the country.

The South has her eulogists and appreciates them. She also has her critics, whom I have no purpose now to disturb. I am on my feet to make no plea for her. She needs no encomium at my hands. Those who have ears to hear are hearing. Those who have eyes to see are seeing—knowing. But she does not claim all virtue and knowledge for her own. Over her northern neighbors she assumes no right to all the bouquets fashioned by facile pen and eloquent tongue. She knows the North is rich and strong. She knows, as the Senator pointed out, the North has not been too wise to learn nor too blind to see, as the South does, that each can be helpful to the other. Matters so long vital to the South are becoming vital to her, and things that menace the one may sooner or later menace the other, and for a common deliverance they must unite in a common cause. At this point hear the words of President Roosevelt, uttered at the banquet of the Republican Club of New York City—words that bear the olive branch and invoke the passing of sectionalism:

Most certainly all clear-sighted and generous men in the North appreciate the difficulty and perplexity of this problem, sympathize with the South in the embarrassment of conditions for which she is not alone responsible, feel an honest wish to help her where help is practicable, and have the heartiest respect for those brave and honest men of the South who, in the face of fearful difficulties, are doing all that men can do for the betterment alike of white and of black.

The attitude of the North toward the negro is far from what it should be, and there is need that the North also should act in good faith upon the principle of giving to each man what is justly due him, of treating him on his worth as a man, granting him no special favors, but denying him no proper opportunity for labor and the reward of labor. But the peculiar circumstances of the South render the problem there far greater and far more acute.

I believe in the Southerner as I believe in the Northerner. I claim the right to feel pride in his great qualities and in his deeds exactly as I feel pride in the great qualities and deeds of every other American. For weal or for woe we are knit together, and we shall go up or go down together; and I believe that we shall go up and not down; that we shall go forward instead of halting and falling back, because I have an abiding faith in the generosity, the courage, the resolution, and the common sense of all my countrymen.

The Southern States face difficult problems, and so do the Northern States. Some of the problems are the same for the entire country. Others exist in the greater intensity in one section, and yet others exist in greater intensity in another section. But in the end they will all be solved, for fundamentally our people are the same throughout this land, and the same in the qualities of heart and brain and hand which have made this Republic what it is in the great to-day; which will make it what it is to be in the infinitely greater to-morrow.

Some one has remarked, Mr. Chairman, that when the United States gets to be, as we claim, the greatest country of the earth we will quit talking about it. If that be true, when the North or the South or the East or the West becomes the greatest of the country's subdivisions, we will probably quit talking about that. We might at least afford to do so, for each is a unit of greatness, and the sum of these units goes to make up the sum of glory and greatness of the whole country. But it may be urged that certain problems will solve themselves when we quit talking about them. But a question, become acute by undercurrents of agitation and disturbance, can not well be let alone. When ignorance and prejudice pour poison in the public ear, the patriotism and wisdom of the country can not well afford to be silent. To them is given the task of separating the tares from the wheat; to them is decreed the responsibility of appeal to the public conscience.

Hence I borrow or quote liberally of the leaders of public thought, that their words of counsel, their tracts of wisdom may be as a pillar of cloud by day and of fire by night, to keep the people from misleading paths and bring their footsteps to peace and victory in the end.

Go through, go through the gates, prepare ye the way of the people. Cast up, cast up the highway, lift up a standard for the people.

[Applause.]

But as a further step toward better understanding between sections and the dawn of a better day for the country, witness the resolution that, by unanimous consent, passed this House on the 21st instant, to wit:

*Resolved, etc.*, That the Secretary of War be, and he is hereby, authorized to deliver to the proper authorities of the respective States in which the regiments which bore these colors were organized certain Union and Confederate battle flags now in the custody of the War Department, for such final disposition as the aforesaid proper authorities may determine.

When less than twenty years ago, Mr. Cleveland attempted to restore these flags, a wave of displeasure swept over a large part of the country. But now, sir, this resolution marks a distinctive stride in the passing of sectionalism. It seems to embody the temperament, voice the sentiment of the American people, bursting like the flower of Ceylon, with a wealth of fragrance, from Alaska to the Tropics, and from the gray battlements of the Sierras to the foothills of the Alleghenies. [Applause.]

But we are told the South is growing rich. I shall not dispute it. A southern orator some years ago facetiously remarked, "We have let economy take root among us and grow as rank as crab grass from Sherman's cavalry camps, until we are ready to lay odds on the southern Yankee, as he manufactures relics of the battlefield in a one-story shanty and squeezes pure olive oil from his cotton seed, against any down Easterner that ever swapped wooden nutmegs for flannel sausages in the valleys of Vermont." [Laughter.] But if the South is growing rich, I believe nothing may be risked by emphasizing the fact that she is not growing away from some of her ancient ideals. She still defies money as a corrupting and controlling influence in politics. She maintains that mind is above matter, brains above coins, man above the dollar, good roads above ship subsidies, waterways above battle ships, schools and churches above armies and navies, patriotism and adjudications of the Supreme Court, above party platform and partisan effort intended to reduce southern representation—high enough, albeit, for God's choicest gifts to flower and fruit in humankind. [Applause.] She has not forgotten the virtuous example of her own forbears. She has not forgotten that she is as potent against the consolidation, the imperialism of wealth, as against the centralization, the imperialism, the militarism of government.

She has not forgotten that history repeats itself. She has not forgotten the environment of the Republic of the Caesars, when it staggered to its fall. She has not forgotten the fine saying of Webster:

If we work upon brass, time will efface it; if we rear temples, they will crumble into dust; if we work on immortal minds and imbue them with good principles, with the just fear of God and the love of their fellow-men, we shall engrave on those tablets something which will brighten for all eternity.

She holds to the old-fashioned belief that strict construction is not a myth and the "Old Guard" of the Constitution has yet to meet its Waterloo. She holds to the old-fashioned belief that the three coordinate powers of government, as separately defined, should be separately administered—each operating in its proper sphere and trenching not on the functions of another. In the proportion of native births to the whole population she constitutes the most American part of the Union to-day.

Like some other sections the great body of her common people is cast in heroic mold, but simple of habit, true to conviction, and loyal to country. Here permit me to say the common people, not overburdened with this world's goods and unexposed to the temptations of wealth, I believe, stand closer to right, closer to country, and closer to God than almost any other class. They are the flesh and blood, the bone and sinew of government, and from their loins spring the great characters of the professions, of diplomacy, and history. [Applause.] Congress, composed of men fresh from their ranks and strong in their interest, is the hope of their future, the safeguard of the Republic.

They, as their fathers before them, are wont to look upon the House of Representatives as a deliberative assembly, in its entirety a law-making body, not a syndicate of committees or an oligarchy of doges. In a sense they look upon the committee room as the opportunity for the lobbyist; that there, like the tiger in the jungle, he crouches for the prey, and still like him cringing and shy in the open, save as he is spurred on by the smell of the "flesh pots" and reassured by advantage gained in the dark. They understand the House was and ought to remain, forever jealous of its constitutional prerogatives. [Applause.]

They understand the House was and ought to remain, the great forum of the people—the arena of parliamentary tactics, of sharp conflict and great intellectual prowess. That on her field days come the "battles of the giants," and many go down before the battery of ideas and musketry of words. They believe, sir, it was and ought to remain, the arena, where intellectual gladi-

tors, like Clay and Prentiss and Blaine and Lamar, dared to shiver a lance in the lists of high debate. They believe it was and ought to remain, the theater of the great dramas of legislation—the forge where great measures are fashioned, abuses corrected, and gross evils thundered down. Sir, if the voice of the people is the voice of God, its sublimest expression shall come when Congress thunders its decree against abuse of the money power of this Government, and grounds it back anew on the rock of faith of the fathers—exact justice to all; abject favoritism to none. [Applause.]

But I would not be misunderstood. The South is not opposed to wealth, but to its abuse. She is not opposed to capital or manufactures, but to favoritism in their behalf. She understands that the functions of government will be largely exercised by the brain and upheld by the arm of the Anglo-Saxon, or superior, race. She understands that the social, business, and political status will be of its making and intrusted to its keeping. She understands the country need not know more of the art of acquisition, but how to rule her conquests, conserve her gains, and equitably distribute her burdens and her rewards. She knows that heartless commercialism is precipitating the conflict to which the Massachusetts sage looked forward with apprehension for his part of the country. She knows that land grabbing, territorial aggrandizement, is at the bottom of the death grapple between Russia and Japan. She knows that madness for trade has set the nations on a war footing and negated the efforts of The Hague tribunal for arbitration and for disarmament. She knows it is no longer jealousy among rulers, but the merciless vandalism of greed that nation stands with hand at the throat of nation and on the "firing line" of the universal shock of battle. [Applause.]

Knowing these things, it becomes the South and the whole country to interpose the whole armor of their "conservatism and wisdom" against the deadly projectiles of vice and decay. And as the dikes protect Holland from the desolating seas, so shall the South stand as a breakwater against the high tides of evil that wash the nation's shores and help to bear her forward, as the "shining light, that shineth more and more unto the perfect day." [Applause.] Like the current of a mighty river, shifting its volume from bank to bank and wearing deeper the channel here and there, in this Republic, the currents of political fortune surge from sea to sea and from Lake to Gulf. For example, southern valor led in the wars, and southern talent formulated the Declaration, "fathered" the Constitution, furnished most of the Presidents, and controlled the Congress and the courts of this Union for sixty out of the first seventy years of its existence. The States were in the saddle then.

The South is sure that no time will diminish the glory of those earlier years, but she is not unmindful of the change that time and circumstance and party have wrought. She knows that rights, like autumn leaves from the forest oaks, have fallen away from the States, and since 1865, the North and Middle West, have been at the helm and the nation in the saddle. While the nation will perhaps maintain her mount and, over the government of Jefferson and the protest of his followers, approach nearer the republic of Hamilton or the British model, the factors of population, development, and political influence will be so universally distributed, that no geographical division may be able to control and perpetuate its power to the permanent detriment of the whole people. So, whatever may betide, the country, though it may temporarily fall into the hands of its enemies, will abide permanently secure in the hands of its friends. President Hadley, of Yale, said the other day: "We want men who stand for ideals; men who make life worth living."

President Alderman, of the University of Virginia, said the other day:

The supreme cry of the South, and the whole nation, indeed, is for trained men to help it realize its splendid noble self, not alone through personal courage, or civic devotion, or stalwart individualism, but through creative activity, community effort, civic unity, and scientific attitude toward social phenomena. The South will get this type when it can train them. Therefore its supreme need is training—from the country school for the country boy to the great university for that same boy grown into prophetic and potential manhood. The whole nation needs the ingrained conservatism and profound idealism of southern leadership, tempered with scholarly insight, as it needs the eternal old Democratic party, illuminated by scholarly liberalism and kept standing for everlasting faith in men.

[Applause.]

There is little doubt that the "ingrained conservatism and idealism of southern leadership" would modify, reform the "leadership of commercial centers, whose peril is the peril of materialism and a conception of government somewhat selfish and not wholly for the public good." It would lay wholesome restraint upon capitalistic forces and check the trend of an aristocracy of wealth toward kingly power. Could the

country suffer from government thus founded in the moral sense, in the higher ideals of man? The North wholly abandon such ground; the South wholly desert such principles now? Perish the thought! [Applause.] Fling way the idle fancy that would show the people mad, the country lost. When streams stop their downward course to the sea, when the heavens melt with fervent heat, when fathers strike down the altars of home and mothers stand on the banks of an American Ganges and throw their offspring to the murderous wave, then and not till then will the South—the grand old mother of States and of men—desert the child of her first love! [Applause.] That child, sir, born of the Declaration, nurtured by the Constitution, and crying from the very Bethlehem of the nations, "Prepare ye the ways of freedom and make straight its paths." [Loud applause.]

I would delight to tell the story of two historic characters—heroes not in strife, but in peace—names not bright with the gleam of sword, not famous in the shock of battle, but in the might of pen, the power of tongue. It would be the story of a parallel in genius of thought, in love of their native sections, in devotion to the States, and patriotism broad as the Union itself. Time forbids that I should attempt more than draw an imperfect outline upon the canvas. Sargent Prentiss was born by the coast of Maine, but came to Mississippi in his youth, and, like a tropical plant by the monarch stream, grew into luxuriant, brilliant life. Henry Grady, sprung from the parent southern stock, and, flowering under Georgia skies, burst into a rich excess of gifts flung from Nature's hand. Embodiment of the fairest types of their native soils, sacrificing naught of the high-born pride of their ancestral stocks, loving principle and virtue that grew in the line of the others illustrious sires, proud of the heritage of American genius and American achievement, mankind reads their glory in a nation's eyes, their epitaph in a nation's love, their reward in a nation's peace. [Applause.]

Aye, the one was Cavalier, the other of Puritan stock; one the heir of the South the other joint heir of North and South, but both wisely and intensely American. One born in the forenoon, the other in the afternoon of the first century of American freedom. The clarion voice of the elder had scarcely ceased to ring in the ears of a generation almost extinct, when its music, caught up by the tongue of the younger, thrilled the nation as never before, since the first had faded from the earth. From New England's sturdy loins a genius rose, triumphed, and fell—fell on Southern soil and sank beneath a wave of Southern tears. From the South's hospitable soil sprang another, sweeping comet-like across the nation's sky and lighting Boston's banquet hall with its last but brightest flash. [Applause.] America's brightest stars, rising one North, one South, but set each in the other's sky, wrapped in a common glory, marked by a common sorrow, and linked in a common immortality with the stars that gem the arch of God's sky above! [Applause.] My countrymen, look on this picture and know that patriotism survives. Look on this picture and know thy country liveth; that "government of the people, by the people, and for the people shall not perish from the earth." [Prolonged applause.]

Mr. BENTON. I yield forty-five minutes to the gentleman from Mississippi.

Mr. BYRD. Mr. Chairman, in the language of one of the great masters to whom my friend [Mr. WALLACE] has just referred, I want to say that it would be proper "for birds and bats to hunt their holes while eagles are in the air." [Laughter and applause.]

Mr. Chairman, the people of the cotton belt are confronted with a most serious problem. Within the past ninety days the price of their only great staple has declined to such an extent that they are threatened with bankruptcy, and how to extricate themselves from the impending thralldom is a question being discussed in every home, on every exchange, and in every business mart of that fair section. The anxious, patriotic people of every avocation—the lawyer, the merchant, the banker, and the hard-pressed farmer—have met in common council to deliberate upon the almost insoluble problem.

When the great convention that met at New Orleans a few days ago solemnly declared in favor of curtailing the cotton acreage 25 per cent in order that all classes dependent upon the farmer might prosper, it expressed a sentiment of condemnation of the dominant policy of this Government that should sink deep into and long linger about the heart of every protectionist in this House.

There are many who believe that the threatened condition of the South is but the culmination of the evils following in the wake of the protective policy. Not only do they believe that this pet policy of the Republican party has enslaved the agri-



cultural masses of the South to the trusts, forcing them to pay from 20 to 40 per cent more than they should for the necessities of life, but they also believe that it has isolated them by a veritable Chinese wall from the naked and hungry millions of other countries, who are begging for their product now rotting in the fields. To rob the weak in order to enrich the strong is, indeed, indefensible in any government, but there are still greater wrongs. A government that boasts of the most magnificent civilization that the world has ever known, that is contented to "stand pat" by a policy that threatens to dwarf the energies of one-fourth of its citizens by compelling them to labor not to the full measure of their capacity, to consign one-fourth of their fertile acres to the growth of thistles and weeds, to force them to discharge one-fourth of their laborers who daily eat bread in the sweat of their faces, and to reduce to a state of miserable poverty 6,000,000 of that simple race whose God never inspired them with a capacity above toiling in the sunny cotton field—this I declare, Mr. Chairman, to be a deeper wrong than robbery, for idleness and penury sap every virtue from racial and national manhood.

Much could be done by wise statesmanship toward the expansion of the American cotton market. There are in China, South America, and Oceania nearly 700,000,000 people, who are anxiously awaiting an opportunity to consume our great surplus, and were our statesmen liberal enough to negotiate reciprocal treaties removing all tariff obstructions between these people and our cotton fields, never again would we hear of overproduction; and, too, this condition could be greatly improved if our statesmen were to go one step further and grant every American citizen desiring to send his products to these far-away people the right to hoist the American flag over his ship, purchased in any quarter of the globe for this purpose. How could such a concession as this, fraught with so much good to the Southern people, injure any legitimate American industry? It could not possibly hurt any of the pet industries of the Republican party. The steel trust, the harvester trust, tin trust, or any other trust, could not possibly encounter any opposition among these semi-savage people, who still use the most antiquated industrial implements known to man. If no harm can come from such a concession, why has this Government not made an effort to secure this wonderful market for the greatest industry of the country?

Loyalty to his government is the duty of every citizen, but it is likewise the duty of the government to guarantee to each and every citizen an equal chance with his fellows in the pursuit of happiness—to grant him the right to labor to the full measure of his mental and physical capacity, and to assure him as far as possible a compensating reward for such labor. But is this the reward of the cotton producer of the South? Or can it be true under the dominant policy of the Government which isolates him from the markets of the world and compels him to forego the culture of his fair fields in order that he may not be ruined by a flood of overproduction? I dare say there is not a member of this House who does not know that any policy that closes any market to the cotton grower impairs his well-being and progress. Unlike any other American industry, two-thirds of the cotton crop, if sold at all, must be to foreigners, and hence, above all things, he needs an unfettered market with all the world. His right to thrive is dependent on his privilege to displace the fig leaf in all the ends of the earth by the cotton shirt. [Applause.]

In 1903 the South produced 10,674,000 bales of cotton, of which only 3,924,000 bales were consumed at home, the balance, 6,751,000 bales, had to find a foreign market. Or, in other words, we consumed 37 per cent and exported 63 per cent. On the other hand, in 1903 we produced more than 2,000,000,000 bushels of corn, but exported only 3.04 per cent. In the same year we produced 670,000,000 bushels of wheat, and only exported 30 per cent thereof. The same is true with all of the industrial manufactures of this country. So then, in the light of these facts, we must conclude that all this boastful assumption about protection building up a home market for the agriculturist falls flat upon the ear of the cotton producer, who well knows that he is far more deeply interested in a foreign market than in the congested market at home.

Conditions over which he has no control have fixed his industrial status and have marked him as a certain victim of protection. For the want of a market I have seen the fruits of his toil rot in the field, his children reared in poverty, his home plastered with mortgages, and his once manly pride crushed under the burden of impending hardships. Though as patriotic as any citizen, though his courage has inspired every field of American valor, though the blood of his blood nerved our heroes at San Juan, Santiago, and far-away Manila, yet not one effectual plea for the betterment of his industrial condition has

been heard by the powers that be. In response to his appeals the Shylocks of protection have cried out:

Lay on, Macduff;  
And damn'd be him that first cries, Hold, enough!

[Applause.]

In evidence of the fact that agriculture has been discriminated against I submit the following table, showing how manufactures have prospered at the expense of agriculture:

Total wealth.	1850.	1900.
The whole country .....	\$7,134,739,000	\$94,300,000,000
Farms .....	3,967,343,580	20,514,001,838
Farm products .....	1,958,030,927	3,764,177,706
Manufactured products .....	1,019,106,616	13,039,279,000

That is to say:	Per cent.
Wealth has increased over .....	1,300
Farms, not quite .....	600
Farm products not quite .....	200
Manufactured products over .....	1,300

It will be observed that the farms have increased only 600 per cent in the past half century, while manufactures have increased 1,300 per cent, and to the greater part of the increase in farms has been in the grain States and not in the cotton States, as will be observed from the following statement, showing the increase in the value of farm property from 1880 to 1900:

Alabama .....	\$56,000,000
Georgia .....	74,000,000
Mississippi .....	60,000,000
Indiana .....	200,000,000
Iowa .....	500,000,000
Illinois .....	700,000,000

From this it appears that the farm wealth of the South has increased far less than 600 per cent.

Also, I submit the following table, taken from Government statistics, which speak much stronger than I can utter the unjust manner in which legislation diverts the wealth of the land from the pockets of the agriculturists into the coffers of the manufacturing industry.

Capital in manufacturing, 1900 .....	\$9,984,424,167
Total proprietors .....	709,326
Total value of product .....	\$13,091,876,700
Interest on capital, at 5 per cent. ....	\$499,221,208
Total wages paid .....	2,339,923,615
Total materials used .....	7,377,907,679
Net profit .....	\$10,217,051,902
Per cent of net profit .....	\$2,874,824,888
Net profit to each proprietor .....	28
Average capital of each proprietor .....	\$4,052
Average number of wage-earners .....	\$12,660
Average annual wages .....	5,393,246
	\$433

#### MANUFACTURES OF IRON AND STEEL.

Capital .....	\$590,530,484
Number of establishments .....	669
Total value of product .....	\$804,034,918
Interest on capital, at 5 per cent. ....	\$29,526,524
Total wages .....	120,876,358
Total cost of material .....	522,431,701
Net profit .....	\$672,334,583
Per cent of net profit .....	\$131,700,335
Net profit to each establishment .....	23
Average number of wage-earners .....	\$196,861
Average annual wages .....	229,607
	\$526

#### FARMING.

Total capital in farms .....	\$20,314,001,838
Number of farms .....	5,731,657
Total value of product .....	\$4,739,148,742
Interest on capital, at 5 per cent. ....	\$1,015,700,091
Total paid labor .....	365,305,811
Total fed to stock .....	974,941,046
Total fertilizer .....	54,783,000
Net profit .....	\$2,410,729,948
Per cent of net profit .....	\$2,328,418,814
Net profit to each farm .....	11
Net profit to each farm .....	\$405
In manufactures, net profit due to protection .....	\$1,500,000,000
In iron and steel, net profit due to protection .....	\$100,000,000
In farming, net profit due to protection .....	Nothing.

Mr. BYRD. Mr. Chairman, I am one of those who believe that there ought not to be any such thing as overproduction, so long as the shadows of want fall upon the homes of God's creatures in any quarter of the globe.

I further believe that any cause instituted by man that fetters the free exchange and interchange of the necessities of life is criminal to man and sinful to God; that when God spake the world into existence he made one section to grow bread, another to provide raiment, and, as a part of the same divine conception, he planned the ocean and river, upon the bosom of which these products might be carried and exchanged for the comfort of man.

Mr. BAKER. Will the gentleman permit me to interrupt him?

Mr. BYRD. Certainly.

Mr. BAKER. I have just understood you to say that you believe there should be no such overproduction so long as shadows of want are over the world.

Mr. BYRD. That is right.

Mr. BAKER. May I suggest to the gentleman that the way to abolish want is to strike at the root of the cause—

Mr. BYRD. I am doing that as hard as I can. [Laughter.]

Mr. BAKER (continuing). Which is land monopoly. [Laughter.] Do you not want to strike at the root?

Mr. BYRD. I am doing it; and if you will get out of the way I will destroy the whole thing. [Great laughter.]

Mr. BAKER. Oh, no you won't. Unless you strike at the root of the evil, you will not touch it.

Mr. BYRD. In my humble judgment, the Republican policy of protection has been more destructive to the southern farmer than the ravages of the late civil war, that left him but a blackened and charred landscape of ruin. This policy has so taxed his energy by unjust robbery at home and by congesting the market for his ever-increasing products to such an extent as to render it almost impossible for him to receive for the fruits of his toil a living profit. But once or twice in the past twenty years has he been able to market his crop for anything like a profitable price; and this, too, has been only at a time when the fairest part of the cotton belt was stricken by the boll-weevil plague or by a parching drought. Indeed, it is true that he must depend upon the providence of heaven for a living price from his product. Why should this be true? Why has not this Government made an effort to expand his markets? Can anyone recall any treaty ever negotiated by this Government in his behalf; but, on the other hand, has not every reciprocity treaty that attempted to expand his market been crushed by the party in power?

Can anyone recall a time when a single ship or commercial agent was ever sent by the authority of the Government to find new markets for this greatest wealth-producing industry of the country? Under the withering effect of this market-destroying policy has not every merchant ship that was once the pride of the nation disappeared from the seas? Under other conditions 75 per cent of our cotton was shipped in American bottoms, now only about 9 per cent. The Government can vote a hundred million dollars to create a great Navy; it can spend a billion dollars in trying to teach the millions of wild men in the Philippines the ways of civilization; it can provide a protecting charter for every trust that is now filching the lifeblood from our country, but it can not spend one dime, it seems, in order to build up this the greatest wealth-producing agricultural industry, not only in this country, but in the world. [Applause.]

No other nation on the face of the globe, if it had such a promising industry, would stand silently by and let it wither and perish. Russia is so jealous of her few cotton fields that she has thrown a protective-tariff wall around her millions of people in order that this industry might attain the highest degree of perfection and prosperity attainable in a monopolized market. England, Germany, France, and other European countries, having a few dependencies in the wilds of Africa in which cotton can be grown, look upon these unpromising fields as pearls of great price, and have brought the full power and force of the Government to aid in their development. They have subsidized the cotton growers and sent to other countries for intelligent agriculturists to superintend the cultivation of the product. Yet we have a cotton industry susceptible of fabulous wealth and development and promising profitable employment to our entire indigent African race, as well as millions of our own blood, that has never received the slightest consideration of the Federal Government.

Let me say to the gentleman from Indiana [Mr. CRUMPACKER], who has just delivered such a philippic on the negro, that if he and his party had given half as much consideration to the right of the negro to live as they have for him to vote he would now be in a much better condition. [Loud applause on the Democratic side.]

On the other hand its markets have been neglected if not destroyed, and under the edicts of law it has been robbed of millions to fill the coffers of industries of far less national importance. If it had received any part of the governmental consideration shown our manufacturing industries, or if one-half of the money, brains, and national effort expended during the past six years in exploiting the policy of imperialism had been directed toward introducing our products into the new fields of commerce now being rapidly appropriated by the thoughtful nations of Europe, not only would the cry of overproduction have been hushed, but increasing prosperity would have blessed all other legitimate industries. [Applause.]

That protection has had a destructive effect on our foreign markets can not be questioned. We sell nothing abroad that

can be purchased elsewhere. Our great food and cotton exports are the result of the fact that these products can not be found elsewhere, and the recent immense increase in the American manufacturing products sent to foreign countries must not be taken as evidence of permanent growth in our export trade, since we all know that a very large per cent of these products are sold to foreigners at a less price than to home consumers, and in many instances are being sold in foreign countries at a price less than the same class of goods can be there manufactured. In other words, these increased shipments of manufactured products to foreign countries are largely what the trusts and manufacturers of this country term as their surplus, and it is being dumped on foreign countries at almost any price and at the risk to ourselves of incurring ruinous commercial retaliation, as is now being advocated by Mr. Chamberlain, of England.

Mr. WILLIAMS of Mississippi. Will my colleague permit an interruption?

Mr. BYRD. Certainly.

Mr. WILLIAMS of Mississippi. I should like to hand him an editorial, cut from the Washington Post of this morning, upon the point he is discussing now, and I will ask him to insert it in his remarks.

Mr. BYRD. I will do so, sir, with thanks. I have not time to read it now, but I will put it in my speech at this point.

#### SOME INTERESTING FACTS AND FIGURES.

Reduction of the utterly indefensible rates of duty on various manufactures of steel is one of the principal objects for which Republican tariff revisionists have at various times contended. The arguments presented in support of their contention have been unanswerable, but that important fact has not brought success to their demand for revision. The steel combine, undismayed by the clamor of the revisionists, has gone right on making a full exposure of the iniquities it has been enabled to perpetrate under a schedule maintained in its interest and for no other purpose. It has made and is making this demonstration by manufacturing steel for export for which it receives prices lower by 20 to 40 per cent than the home customers are compelled to pay. At first there was a pretense that those exports were merely surplus products, occasional incidents, that were sold at a sacrifice, but that sort of talk has been abandoned. It is now known, and no longer denied, that the exports are a regular feature of the business, and, further, that this feature is profitable. The Chicago Chronicle, a straight-out orthodox Republican paper, prints an editorial entitled "Profit on exported steel," in which it reproduces from the financial columns of the daily press what purport to be figures furnished by the steel corporation. The Chronicle says:

"The facts as stated are that the export business of the corporation amounted to 264,000 tons of steel and steel products in 1903 and to 1,223,000 tons in 1904—an increase of 500 per cent. It stands to reason that the corporation would not increase its exports so largely if they were unprofitable. Indeed, it is further stated that the value of the corporation's exports in 1904 was about \$32,000,000, and that \$4,000,000 of this was net profit. That is, the profit on the cost value was about 14½ per cent. With this profit realized at the prices obtained in foreign markets surely the corporation could have survived without exacting from American consumers 40 per cent higher prices than were obtained from foreign purchasers. We are assured of this by the further statement that 'the profits on domestic trade are about 80 per cent.'

"This evidently means the profit on actual capital is about 80 per cent. It would make the profit derived from the foreign trade about 44 per cent on capital. In view of these statements it would seem to be a reasonable supposition that the steel corporation can easily afford to supply American shipbuilders with steel at the same price they obtain from foreign shipbuilders."

How much longer will the American people stand pat on a tariff that promotes a long array of outrages of which the steel company's export trade is but a fair average sample?

Looking at the situation in its most favorable light, I can see but little hope for the cotton-growing South unless the Government abandons its present market-destroying policy. New fields for the sale of the rapidly increasing crops must be found. The increase in production far exceeds the present expansion in our markets. Markets we want and markets we must have.

In 1850 we produced 2,240,000 bales; in 1904 it is estimated that we will produce no less than 13,000,000. At this ratio it will be but a few decades before the enormous amount of 20,000,000 are produced. In this event, under the present existing conditions, what price can we hope to realize for the same? Every message that comes from the cotton markets states that the present crop exceeds the world's consumption; hence we realize that we must either curtail our production or expand our market. The former reduces our rapidly increasing population to the degradation of idleness and poverty, our farms to ruinous dilapidation, and our business enterprises to bankruptcy; and the latter can not be hoped for with any degree of certainty under our existing political conditions. Commercial exclusiveness, the destruction of our once powerful merchant marine, and the erection of hothouses for the propagation of trusts are the consequences of protection, all of which forbid trade expansion and foreshadow ruin to any American industry that must find a market beyond the sea. [Applause.]

But we are told that our crops should be more diversified; that we should grow less cotton and more food products. This is altogether impracticable; the soil, the climate, and the



character of the labor are all especially adapted to the culture of cotton. Besides, if grain were grown on one-half of the lands now devoted to cotton it would result in the most direful calamity that could be visited upon the western farmer. It would reduce him to the verge of bankruptcy by destroying one of his most powerful markets. In many of the cotton States millions are annually spent with the western producer for meat, grain, mules, and other necessary products.

It is true we are annually losing millions of profit from our cotton crops because more of it is not manufactured at home. Our factories are producing \$32,000,000 worth more than is consumed by the American market, and it is absolutely impossible for them to enter into competition in the foreign markets with the manufacturers of Germany, England, and others, since the latter have behind them the powerful influences of their home Governments, and have had fifty years' experience in exploring and introducing their products into every quarter of the globe.

Not only are the manufacturers of these countries aided by the trade treaties and agents at every consulate sent out at public expense, but they have ships flying their national flags, in which to transport their products.

Has this Government ever sent a commercial agent to China to show the advantages of American-made cotton goods? Has it ever authorized an American manufacturer to go out on the high seas and buy a merchant ship and hoist the Stars and Stripes over it in order that he might carry his products to the people of other countries? Nay, not so; but, on the other hand, it has not only not aided him in the introduction of his products, but it says to him that if he purchases a ship not made by the ship builders' trust it can not leave our shores under the protection of the American flag.

Mr. LOVERING. May I interrupt the gentleman a moment?

Mr. BYRD. Certainly.

Mr. LOVERING. Is the gentleman aware that in the Fifty-sixth Congress a bill was passed by the Senate and passed the Committee on Interstate and Foreign Commerce of the House, appointing a commission to extend our markets in the East for all industries, including cotton; and does not the gentleman know that that bill was defeated by gentlemen from his own State and from his side of the House, absolutely and alone?

Mr. BYRD. I do not. And I know that there was not the necessity for extending our markets then as it exists now.

Mr. LOVERING. We were just as much interested in extending markets then as we have been for years.

Mr. BYRD. I am talking about cotton.

Mr. LOVERING. I am engaged in cotton manufacture, too.

Mr. BYRD. I am aware that the Secretary of Agriculture sent experts to find a more extended market for our butter and certain other farm products abroad, but not cotton.

Mr. WILLIAMS of Mississippi. Yes; for Indian corn, and sent a cook abroad to cook it.

Mr. LOVERING. I am very much interested in what the gentleman has to say, and I am heartily in accord with his remarks, but I am suggesting to him that efforts have been made to remedy this very situation.

The CHAIRMAN. Does the gentleman yield?

Mr. CLARK. Does not the gentleman from Massachusetts know that in not one of the last five Congresses—the Fifty-sixth or any other of the four—the minority of this House has had the power to defeat any bill without assistance from the other side?

Mr. LOVERING. I do not. I know they did defeat that bill.

Mr. BYRD. I hope this interruption will not be taken out of my time.

The CHAIRMAN. The Chair has asked the gentleman if he yielded, and he nodded assent.

Mr. BYRD. In other words, he is bound hand and foot to the shipbuilders' trust. As a result of this policy we find that the manufacture of cotton goods in America has not increased as rapidly as that of many other of our great staple products.

The following table shows the increase of our cotton production and the per cent manufactured at home for the past half century:

Year.	Bales.	Per cent.
1850	2,423,000	27
1860	4,861,000	21
1870	3,114,000	27
1880	5,741,000	31
1890	7,297,000	32
1900	9,422,000	39
1903	10,674,000	37

From this table we readily observe that it will be no less than half a century before one-half of our cotton is manufac-

tured at home and that the southern cotton grower will have to continue to look to foreign markets. In fact, for the past half century his markets have not changed in any material respect. In 1860 we made 4,861,000 bales of cotton, retained about one-third at home, sent one-third to England, and the other one-third to Germany and other European countries. In 1880 we kept one-third of our crop of 5,761,000 bales at home, shipped one-third to England, and the remainder to Germany and other countries in Europe; in 1903 we shipped the same proportion of our crop to practically the same countries. Why has there been no change? Why is it that if any other countries consume any considerable amount of our cotton it is not purchased from us, but from England and other countries who deal directly with us?

Consul Cunningham, writing on June 6, 1904, concerning American cotton in Norway, says:

A few days ago I noticed the statement in a Norwegian newspaper that "the American kinds of cotton used in this country could not be bought in Europe." I wondered why Europe should be ransacked for American raw cotton, when no effort was made to buy in the country of its growth. In investigating I find that it has been the custom for the cotton manufacturers here to buy American cotton in Europe and not in the United States. The following table shows the countries from which Norway secures her supply of raw cotton:

Imports of raw cotton into Norway, 1902.

	Pounds.
Sweden	97,878
Denmark	359,961
Germany	1,647,008
Netherlands	447,788
Belgium	641,476
Great Britain	2,516,294
France	27,218
United States	Nothing.

And the same can be said of Bohemia, which last year purchased 2,516,000 pounds of our cotton from Great Britain.

The Southern people have much reason to be grateful to England and Germany for the aid they have rendered them in securing markets for their product; but for the markets in foreign countries opened by English and German statesmanship the South would be unable to realize 3 cents per pound for her present crop. If those countries had subscribed to the same isolating policy that dominates this, the State of Texas could have supplied America's share in the world's supply of cotton. Forty years ago four and a half million bales was all of the American cotton needed to supply the world's consumption. Since that time the English and other foreign manufacturers have opened up hitherto unknown markets, and to-day it takes ten or twelve million bales of American cotton to supply the demand.

It is true that Germany has a protective tariff policy inaugurated under the leadership of her greatest premier, Bismarck; yet the tariff schedules have been so adjusted and trade treaties have been so wisely and generously made with foreign countries that her foreign commerce has suffered but little therefrom. She has a trade agent attached to every consulate in more than one-half of the countries of the world, whose duty it is to negotiate and introduce German goods into that country. By her trade treaties she has gone to the ends of the earth in order that she might supply the new countries with her fabulous products. Mr. Monaghan, consul at Chemnitz, says:

The trade treaties have helped Germany's export. No wonder she wants to make more of them. Of course all branches have not had an equal share in these results. The nation knows now as it never knew before what benefits are to be secured by wise concession, by local interests bending to national ones, by taking counsel not from narrow, selfish men, but from men broad enough to put personal politics aside for the higher and better results of statesmanship. The Empire is as eager now to make such treaties as she was once indifferent.

The German Government sent an expedition into China and Japan in 1896 in order to secure her proportion of that trade. This expedition was instructed to study the wants and tastes of the Chinese and Japanese so as to instruct the special industries at home how to carry German competition into those markets and to make it as nearly as possible irresistible. This expedition was successful and accounts to a large extent for the growth of German commerce in China and Japan. The exports from Hamburg alone to China the first year after the return of this expedition ran over \$4,000,000, and to Japan more than \$1,500,000.

The history of England since she unloosed the shackles of protection from her subjects has been one continuous dream of commercial expansion. She has opened more markets for our great southern staple than all other countries combined. In 1903 she imported \$216,951,056 worth of raw cotton from the United States, and exported, principally to markets unknown to the American cotton trade, \$367,558,655 worth of cotton fabrics; while the United States, the home of the cotton plant, exported only \$32,000,000 worth. The first has free trade, free ships, and open markets; while the latter has trust-breeding protection, no ships, and no markets. [Applause.]

We have all voted to construct the Panama Canal, and to make its construction certain this Government by mere force of might dismembered a sister Republic and thereby invoked the infamy of the world upon our flag. So eager are our people in their solicitude for this enterprise that both Houses of Congress stand ready to vote every dollar needful for its immediate construction. I have heard the great men of all parties proclaim its supreme importance as a commercial enterprise, that it would link our commercial destiny with that of teeming millions who dwell in the Orient and on the continent to the south of us.

I sincerely hope that this may all prove to be true, but judging the future by the past, I can see but little benefit for this country in the construction of this great international enterprise unless we reverse the fiscal and commercial policy that has dominated this Republic for the past forty years.

How can we hope for it to expand our commerce when we have no commerce in that section to expand, and when no effort is being made by any agency of the Government or individual to secure a fair share of that trade? The English and Germans, through their wiser statesmanship, have practically driven our commerce from every country we hope to reach in that direction; besides, they have ships to ply the waters of this canal while we have none; they have trade agents and commercial warehouses in all of the south sea countries and we have none. It has taken them forty years to monopolize this trade, and it will take us half a century under the most favorable auspices to secure a fair share thereof. This result, greatly to our disadvantage, was accomplished by our great commercial rivals while we have been nurturing the pet policy of protection. Can anyone say that it is an exaggerated assumption to say that this great Panama enterprise will only serve as a toll-gate through which the powerful merchant marine of Europe will flaunt its defiant banners while our once proud merchant ships lie floundering at the bottom of the deep from whence they can never return so long as our governmental policy is molded in the interest of protected trusts? [Applause.]

Notwithstanding we are entitled to a monopoly of the South American trade from all geographical and political considerations, yet we receive less than 10 per cent thereof, though in 1903 the imports into that country reached the enormous sum of \$350,000,000. Her population is quite 60,000,000, and we sold them only \$5,207,000 worth of cotton and cotton products in 1903, less than 9 cents, or 1 pound of cotton per capita. In the Consular Report of July, 1904, Vice-Consul Handley says:

The total imports for all the South American countries approximate \$350,000,000. Our share is a fraction more than 10 per cent of this, and this small proportion can not be ascribed to anything but the lack of well-developed trade energy. We buy from them three times as much as we sell them. We pay them about \$120,000,080 a year for their products, and they use the difference of \$80,000,000 in purchasing from our foreign competitors the goods with which we ought to balance our account with them. In other words, we supply them with funds which enable them to buy from other people things which we grow and manufacture.

Mr. Chairman, as before stated, there should be no such thing as overproduction of the necessities of life when any part of the world is in need of the same. That while the world's supply of cotton has doubled in the last half century, largely the result of new markets being opened by the European nations, yet there are teeming millions yet to be reached and fabulous millions of wealth yet to flow to those nations having the patriotism, statesmanship, and commercial courage to carry into their midst this wealth-producing product.

The greatest Republicans who ever honored the party realized the necessity for additional markets. The great McKinley, in his dying message to the American people at Buffalo, declared that our ever-increasing production should have an outlet and that the period of our exclusiveness had passed.

James G. Blaine, whom I regard as one of the most intellectual men that this country has ever produced, twenty years ago prophesied the realities of to-day. Though an avowed protectionist, yet he advocated the most liberal policy of reciprocity. Unlike his fellows and brothers who now sit in high places, and who have by the iron heel of party selfishness crushed to death every treaty looking to freer markets, he was in favor of enforcing the doctrine of reciprocity to the extent of opening every profitable market for our increasing products.

The southern people should long revere the memory of this great Republican, for he is the only statesman of that party whose patriotism rose above partyism and sectional prejudice to such an extent as to comprehend their well-being and to strike one blow to liberate them from the thralldom of the ruinous policy of protection. [Applause.]

While Secretary of State under President Harrison he addressed notes of inquiry to more than ninety-six consular officers in Asia, Africa, and South America, touching the advantages

that would result by opening up markets in these countries to the American producer and manufacturer of cotton. And in making a report to Congress upon this subject, among other things, he said:

The cotton goods trade of the world is a vast subject and requires the best consideration of the American manufacturers—united consideration to be followed by united action—but if the same masterly direction of forces be applied toward its diversion to the United States as have been applied by the statesmen and manufacturers of Great Britain to the development of their trade, the world offers a field large enough for the consumption of all the manufactures that we can produce, even were our entire product of raw material converted into American cloth instead of being exported in large quantities as it is at present.

In further evidence of the fact that there is no over-production if our Government will just use its influence to secure the markets that are available, I quote the following from Hon. John Barrett, lately in the diplomatic service of the United States in the Far East and at present United States minister to Panama, touching the possibilities of China as a market for American cotton and cotton goods:

The Far East, particularly China, wants the manufactured cotton and raw cotton of the South in increasing quantities, and the time may come when these Pacific-Asiatic demands will take up the surplus supply of the South's great staple.

Manchuria affords one of the best object lessons of American opportunity. The growth of the demand there for certain specific kinds of American cotton goods has been phenomenal. It was not many years ago that the market was very limited. There are even on record reports of consuls and special agents of cotton firms which said there was no field for the expansion of American trade. To-day the marvel of business interests in northern China is the development of the market for American cotton goods in Manchuria.

If the great northern provinces of China now require \$7,000,000 worth of our cotton there is no valid reason why they should not in ten years from now consume \$20,000,000. When we consider that the cotton mills of New England and the South are supplying this demand in Manchuria these two sections should now join together and insist upon the open door.

China's trade amounts to \$250,000,000, with a population of 500,000,000.

If her wants ever expand in any such degree as those of Japan her foreign trade should reach, on a conservative estimate, \$500,000,000. It will not take long to reach \$700,000,000.

These estimates of Mr. Barrett were made in an article written by him for the North American Review and published in 1899. The present trade of China is something more than \$346,000,000, an increase of about \$100,000,000 since the date of Mr. Barrett's article.

Notwithstanding this promising field for the consumption of American cotton we buy annually \$8,000,000 more than we sell to the Chinese Empire. China imported from all the world in 1903 \$208,640,000, and from the United States only \$18,898,000, or about 9 per cent, while Great Britain, because of her trade treaties and free-trade policy, sold to that Empire five times as much.

Consul Anderson, writing from Hanchau in December, 1904, said:

The field for American cotton trade in China is unlimited. The goods manufactured in the United States are needed by the people here; their merit is recognized. The people are disposed to buy them if they can. The importation of cotton goods into China generally, as shown by the customs receipts, is 40 per cent of the total imports of the Empire.

This Empire contains no less than 500,000,000 of people, and for centuries was closed to the commerce of the world, and has only been opened by the wise statesmanship of England, France, and Germany.

Mr. Chairman, not only are there unlimited opportunities for American cotton in China, Japan, and other countries of the Orient, but, if the consular reports from South America and Africa are to be relied upon, these countries, too, offer unlimited advantages for American trade.

Mr. Skinner, consul-general at Marseille, France, on July 15, 1904, said:

My information and observation encourage the belief that the American trade in cotton goods may be greatly extended throughout the Mediterranean, Red Sea, and Persian Gulf regions. Although the American cotton trade in these markets is now considerable, many of the consuming regions are not reached at all. German and Italian commercial travelers seek the consuming markets, satisfying them to a considerable extent, and in many cases the large buying houses have agencies in Manchester, where their requirements are catered to by British manufacturers. In the Mediterranean, Egypt, Tripoli, Tunis, Algeria, and Morocco require cotton goods and would buy them in the United States if they were offered upon fair terms.

Consul Lane, of Smyrna, Turkey, in December, 1904, also said:

Of the imports from the United States cotton goods are of the first importance, and if special attention were given this trade it could be greatly increased. The total value of the annual imports of cotton goods averages \$4,500,000, of which there comes from the United States \$425,000 to \$450,000 worth only.

As a warning to the American people of their present attitude on this momentous question Consul-General Peters, in December, 1904, said:

The natural question which presents itself is, What is America to do to hold her position as the first cotton-growing country of the world?



After reviewing the steps that other nations are taking, there can be no doubt that this position is in danger, perhaps not to-day or to-morrow, but certainly in the future.

We could read for hours from our consular reports, sent in from every quarter of the globe, urgent appeals to our people and Government to open up a more extended market for American cotton and cotton products. But what we have read, I hope, will suffice to show that one of the supreme duties of the hour is to secure every available market possible in order to save our greatest agricultural industry from wholesale ruin and bankruptcy.

Many people of the South viewed the results of the Cuban war with an anxious eye. The shadows of imperialism that spread over the country were somewhat brightened by the hopeful expectation of the oppressed farmers of the South, who thought that this departure from the long-established principle of Americanism would at least open the doorway to the teeming millions of the Orient who are begging for their surplus product.

The Stars and Stripes have been hoisted over the Philippines since 1898, and we are quite as far from the markets of the Orient to-day as we were twenty years ago. Not even are we permitted to have free commerce with the Philippines. The protective wall has been erected against them; they have been forced to secure other markets for their products, though dependent upon us for existence. These 8,000,000 people, it seems, should furnish no inconsiderable market for American cotton, if given the opportunity to exchange their products freely for ours.

Our entire exports of cotton products to the Philippines in 1903 amounted to only \$116,306, less than 3 cents per capita. At the then existing prices this would scarcely buy one-third of a pound of cotton, which is insignificant indeed in the light of the fact that each citizen of the United States consumes annually 12 pounds. But we must remember that these people are large consumers of cotton goods, which they purchase largely from the Japanese and Europeans. Not only have they boycotted our cotton, but all other American products, for in this same year we only shipped them 50 cents per capita of all kinds of products, yet we were compelled to pay them for the item of manila fiber alone the sum of \$10,000,000. Can anyone doubt for a moment the cause of this repudiation of American goods? If so, remember that we have not only enforced the terrors of Dingleyism against these people, but this Congress has enacted a law that will soon forbid them from shipping their products about the shores of their own country or to the United States except in vessels controlled by the American shipping trust.

This being true, can anyone censure them? It is true they have cost the American people a little less than \$1,000,000,000, and will in all probability cost twice this amount in the next decade, yet I firmly believe that this Government will never conquer these semisavage people nor will it ever reap one dollar's profit from their commerce so long as we treat them with such injustice. The English Government never treated her colonies more tyrannically, and were I a citizen of those far-away islands I would hide my nakedness in the shadows of the jungle or with the palm leaves that cluster about my hut rather than purchase one iota of raiment from a people who had so little regard for my rights. [Applause.]

Mr. Chairman, if the Government will only come to the rescue of the great cotton industry that is now threatened with so much danger, I am quite sure that it will result in great good to that section. The boom of prosperity that spread like a benediction over that fair section during the past two years demonstrates that there is no limit to the possibilities of its development. In my own State the bank deposits, which is a fair index to the increasing wealth of any section, have more than doubled in the past three years. New railroads have been constructed, new homes built, and beautiful towns have risen as though touched by the hand of magic.

There has been but little increase along industrial lines for the past two or three years, and consequently all of this fabulous increase of wealth is due to the prosperity that has blessed the farmers since they have been enabled to realize living prices on their great product. I dare say that if this Government will use its powerful influences toward securing a profitable market for the cotton products, in less than ten years that section will show a greater per capita wealth than any part of the Union. Not 50 per cent of the lands susceptible of cotton culture are now in cultivation. There is a field for an unlimited supply of American labor. The congested labor sections of the North would be relieved, for there would be room in the South for the employment of one-half of the laborers now living from hand to mouth in our great industrial centers.

What reason can there be for not granting this concession to this great agricultural industry? The uses for which pro-

tection was first instituted have been subverted. Many of the leaders of this House make their most serious contention for the perpetuation of this policy upon the idea that it is needful to guarantee living wages to American workmen. Repeal this market-destroying tariff, at least to the extent of giving an unfettered market to the southern people in South America, China, and the other South Sea countries, and the great cotton industry will take care of every idle laborer in America. But we deny the proposition that protection betters the condition even of the industrial laborer. The unprotected industries of this country pay as high wages as any of the protected industries; and, too, if protection made the ways of life so easy for the laboring man, why is it that since that policy has become the dominant political creed of the Government that the best laboring blood of Europe has ceased to come this way?

Under the Democratic tariff policy, prior to the war, the very best blood of Europe came to this country, while now our immigration statistics show that the very worst element is being dumped on our shores by the thousands. If protection made life so easy for mechanical laborers, why is it that every immigrant ship in this country is not filled by intelligent English, Scotch, and German mechanics, the very best blood of the world, instead of by Dagoes, Bohemians, and that semisocialistic element from countries bordering on the Mediterranean? The following figures will demonstrate our correctness in this position: In 1889 England and Scotland furnished the United States 86,799 immigrants, and in 1903 they furnished only 32,362, while, on the other hand, in 1889 Italy, Sicily, and Sardinia furnished us only 25,807 immigrants, while in 1903 these countries furnished us the enormous number of 244,712. This is that class that protection entices to our shores, and drives away that which has contributed so much to American glory. [Applause.]

But, Mr. Chairman, however just may be these demands of the South, however long our people may have toiled for the taskmasters of protection, however often their golden fleece may have perished in the fields for the want of the fruitful markets beyond their reach, and however much their liberation from this industrial thralldom might bless their homes and the nation, we are daily admonished by your leaders upon this floor that protection is the permanent fiscal policy of the Government; and so intensely inspired are your declarations to this effect that your great chief has become terrorized, and unlike Banquo's ghost, down! down!! down!!! at your bidding. When he would do good, evil is always present. [Applause.]

Your arrogant prophecy may prove to be true—your life-destroying trusts may flourish as a bay tree in the boathouse of protection until 80,000,000 of brave people fall under the shadow of serfdom—and your market-destroying career may continue until the wild flower blooms over the ruins of every sunny home in "Dixie"—but I do not believe it. You should not be deceived by the "ides" of November. The fruits of political pelf must not be accepted as the deliberate judgment of the American people. You should beware lest a political revolution overtake you in your mad career. You should gather a lesson of warning from the doom of that ancient one, who, while the hand of fate was writing justice upon his wall, boasted and feasted amid the floating gardens of Babylonian protection. Remember that the God of justice not only "notes the sparrow's fall," but overlooks the destiny of nations.

Truth crushed to earth shall rise again,  
The eternal years of God are hers.

[Loud applause.]

The CHAIRMAN. Is the gentleman from Missouri [Mr. BENTON] prepared to yield any further time?

Mr. BENTON. I have no speakers who are ready to occupy the floor at this moment.

The CHAIRMAN. Then the gentleman does not desire to yield any further time?

Mr. BENTON. The other side has an hour and I have only twenty-five minutes. I should like to have the gentleman from Indiana [Mr. HEMENWAY] yield some of his time.

Mr. BYRD. Mr. Chairman, if I have any part of my time unused I yield it back to the gentleman from Missouri.

The CHAIRMAN. The gentleman from Indiana intimated to the Chair that he should probably not use the balance of his time.

Mr. BENTON. With the idea of expediting the bill, I desire to reserve the time remaining upon this side, with the right to use it during the five-minute debate.

The CHAIRMAN. If no further time is to be occupied, the Chair will direct the Clerk to read the bill.

Mr. BENTON. I want the right to yield the time at any time during the five-minute debate.

The CHAIRMAN. The only possible way to do that is by unanimous consent.

Mr. BENTON. I ask unanimous consent that if the gentleman from Georgia comes in during the reading of the bill he may have the time remaining to this side.

The CHAIRMAN. The gentleman from Missouri having forty-five minutes remaining, asks unanimous consent that he, not being prepared now to use that time, may yield the same to the gentleman from Georgia, if he comes in at any time during the reading of the bill, under the five-minute rule. Is there objection to that request?

There was no objection.

Mr. DAVIS of Minnesota rose.

Mr. LIND. Mr. Chairman, I wish to submit a request that my colleague [Mr. DAVIS] be given fifteen minutes.

The CHAIRMAN. There is time now in the possession of the gentleman from Indiana [Mr. HEMENWAY], and there are forty-five minutes in the control of the gentleman from Missouri [Mr. BENTON], if the gentleman desires to use it.

Mr. HEMENWAY. Mr. Chairman, I yield to the gentleman from Minnesota two minutes.

Mr. DAVIS of Minnesota. Mr. Chairman, I have prepared, and desire to submit to the House, some remarks on the subject of the revision of the tariff. I am aware that, owing to the lateness of the session, a tariff discussion might not avail much at this time. Therefore I simply ask to extend my remarks in the RECORD. My speech is confined simply to the revision of the tariff, and I would say that it is along protective lines.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to be permitted to extend his remarks in the RECORD upon the subject which he has indicated. Is there objection?

Mr. BAKER. Mr. Chairman, I want to couple with it a request which I have made upon this floor three times this week, but as to which objections were made, that I be permitted to insert something about the single tax, which is a fundamental reform, while the tariff question is not.

The CHAIRMAN. The Chair has already announced the request of the gentleman from Minnesota. He asks if there is objection. After that request has been determined the Chair will submit the request of the gentleman from New York.

Mr. BAKER. I ask that my request be coupled with it.

The CHAIRMAN. The Chair has already put the request as to the gentleman from Minnesota. Is there objection?

Mr. BAKER. There is objection, Mr. Chairman.

The CHAIRMAN. Now, shall the Chair put the request of the gentleman from New York?

Mr. BAKER. No; I do not care to have it put, under the circumstances.

Mr. ROBINSON of Indiana. Mr. Chairman, I make the point of order that the gentleman was sitting in his seat and did not rise in his place to object, as required to do by the rule.

The CHAIRMAN. The gentleman from Indiana has raised the point of order, which as a matter of literal construction he must sustain; but in these matters there has been a certain degree of easy-going practice here and the Chair thinks it would be rather unwise to enforce the rule.

Mr. ROBINSON of Indiana. I do not insist, because I understand the gentleman from New York is ready to withdraw his objection.

The CHAIRMAN. The Chair did not so understand. Does the gentleman from New York [Mr. BAKER] withdraw his objection?

Mr. BAKER. I do.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and the request of the gentleman from Minnesota is granted.

Mr. LIND. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. BAKER] be permitted to submit remarks, as he has requested.

Mr. HEMENWAY. I suggest that in the House the time has been fixed for debate and a limit placed upon it.

Mr. LIND. My request is for leave to print in the RECORD.

Mr. HEMENWAY. That is different. That is all right.

The CHAIRMAN. The gentleman from Minnesota [Mr. LIND] asks unanimous consent that the gentleman from New York [Mr. BAKER] be permitted to print in the RECORD—without limitation?

Mr. GROSVENOR. I desire to ask upon what topic?

Mr. BAKER. The single tax—that is the subject of subjects.

Mr. GROSVENOR. I do not object to that.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. DAVIS of Minnesota. Mr. Chairman, for several years, and more particularly during the one just preceding the last election, many of the leading Republican newspapers of some

of the Northwestern States advocated a readjustment of the present tariff schedules; that the Republican party, being the particular friend of protection, should make this revision in a conservative manner along moderate protective lines; that the present condition of our industrial system was such that the sooner this change was made the better; the extreme or radical legislation should be avoided, thereby guarding against creating alarm, or upheaval in the industrial and commercial conditions of the country. Aside from this newspaper agitation, it is apparent that the consensus of opinion in many sections is, that some of the important schedules of the Dingley law are higher than are now needed in order to enable the American manufacturer to successfully compete with the rest of the world; that in consequence thereof in many instances this hitherto much-needed protective shield to our infant manufacturers, was now being used as a garb in which was enfolded, giants seeking to control the manufactured products of the world; that owing to this condition of affairs it is quite apparent that the American consumer in many instances is compelled to pay higher prices than the European, for the products of our factories.

Mr. Chairman, Theodore Roosevelt, our present Chief Executive, was elected by an unparalleled majority. The people thus expressed their great confidence in him as being a man of great capacity and energy and also courageous in the enforcement of all laws upon our statute books, and who would as speedily as possible endeavor to secure the enactment of others tending to promote their welfare.

It is no doubt true that the foundation of our greatness largely depends upon the wisdom of our economic legislation, and that the tariff, touching as it does all branches of industry, should be wisely ordered and judiciously adjusted to meet changed conditions. Upon this subject the people of the Northwest particularly were led to believe that our President entertained the views that speedy changes would result beneficially, and that something along this line would be initiated during the present session of Congress, or very shortly thereafter. Without asserting positively that such is the case, yet I am constrained to believe that his sympathies lie in this direction, and were it not for the fact that the other great and absorbing question concerning the regulation of railroad rates had overshadowed revision, he would have earnestly pressed this matter upon the attention of the present Congress. It is now quite apparent that nothing will be done before adjournment, as time will not permit. I trust, however, that during the first session of the Fifty-ninth Congress a just and equitable readjustment of the tariff will be made. Politically speaking, it seems to me that this course would be wise on behalf of the Republican party. I am aware of the magnitude of the undertaking and also that hasty legislation is unwise. Hence, if it is intended that the subsequent Congress is to act at all, the sooner the preparatory steps are taken the better. These preparatory steps might be had either at an extra session of Congress called for that purpose, or by authorization to the Ways and Means Committee to enter upon the preparation of a bill during adjournment.

Mr. Chairman, I have great faith in the wisdom and patriotism of the Republican party. Heretofore it has always arisen to and successfully met all emergencies, and the people of this Republic are looking to it for relief from the inequalities which now exist in the basic law of our economic system.

The present tariff law was framed and passed at an extra session of Congress, called by the lamented William McKinley immediately after his first inaugural.

In his message to that body he said:

Congress should promptly correct the existing condition. Ample revenues must be supplied, not only for the ordinary expenses of the Government, but for the prompt payment of liberal pensions and the liquidation of the principal and interest of the public debt. In raising revenue duties should be so levied upon foreign products as to preserve the home market as far as possible to our own producers, to revive and increase manufactures, to relieve and encourage agriculture, to increase our domestic and foreign commerce, to aid and develop mining and building, and to render to labor in every field of useful occupation the liberal wages and adequate rewards to which skill and industry are justly entitled.

On March 31, 1897, the House passed the Dingley bill. It passed the Senate with amendments on July 7, and on July 24 was signed by the President.

The Republican party in 1897, at the very beginning of its Administration, faced an existing condition of evil and within five months had provided a remedy. That remedy in its practical workings through seven years has removed the old conditions of evil and given the country an unexampled era of general prosperity.

The framing of the Dingley law required great labor and wisdom. In our complicated industrial and commercial organization the greatest experts can rarely foretell just where the



final incidence of any tax will fall. No bill can be framed that will not contain incongruities which only time and experience can reveal.

Seven years of rigid application of the Dingley tariff has proven the wisdom of its framers and given the Republican party superior arguments in favor of protection.

These years have also brought to the surface certain incongruities, which, as a Republican and a believer in protection, I think it the duty of Republicans to remove. In other words, I believe that the tariff should be revised, and as a Republican protective-tariff advocate I believe that it should be revised by its friends.

The premise of President McKinley's admirable argument, as set out in his message in 1897, was that protection not only provides ample revenue for the ordinary expenditures of the Government, but also preserves the home market to our own producers; revives and increases our manufactures; relieves and encourages agriculture; increases our domestic and foreign commerce; aids and develops mining and building, and renders labor in every field liberal and adequate rewards.

This premise was taken by the Republican party of 1897 as a sound one and produced speedy results. Within five months after the return of the Republican party to power the Dingley schedules became laws.

No one could at that time say whether all of these various schedules were so adjusted to meet the wise outlines of the President's premise.

Time has shown, however, that certain of these schedules are not in accord with a good and sufficient revenue, and that others are totally subversive of many of the other elements of national power so sagaciously enumerated by the President.

Schedules fixed under the dominant law of haste may be fixed too low and they may be fixed too high. To increase a low schedule has always been deemed a part of true wisdom, and the experience of mankind shows that while it is more difficult to lower a high schedule it is equally wise to do so. And as the doctrine of protection depends upon the degree of economic exactness with which these schedules are fixed, it follows that the interests of true protection are as well subserved by reducing high schedules as by increasing those that are low. Nor has the Republican party in all its tariff history, a history that glows with splendor through a period of forty years, committed itself to a "stand pat" policy, right or wrong; nor do I understand that it proposes now to so commit itself.

The Republican Campaign Book of 1904, a book redolent with Republican doctrine and teeming with recitals of Republican triumph and worth, has this to say of "Further tariff revision":

Much has been said during the past year as to the importance of a revision of the present tariff. To this it is only necessary to say in reply that the Republican party has adjusted, revised, increased, or reduced the tariff whenever such adjustment, increase, or decrease seemed necessary during all of the forty years since it assumed government in 1861. In that period of forty years there have been more than twenty different tariff changes. A considerable number of these have been changes of a broad, general character, many of them increases or decreases all along the line, while others were of less importance and relating to certain classes of merchandise only, but any of them sufficient to show the willingness of the Republican party at any period of its control to make any necessary changes, revisions, or reductions which in view of new conditions may be demanded by public opinion. (Republican Campaign Book, p. 12.)

And again, on page 13 of this book:

An examination of the history of our tariff legislation shows that while the protective tariff was adopted early in 1861, changes in rates of duty were made in 1862, 1863, 1864, 1865, 1866, 1867, 1869, 1870, 1872, 1875, 1879, 1880, 1882, 1883, 1890, 1894, and in 1897, and that all of these as well as many minor changes were, except that of 1894, made by the Republican party, by Republican votes in Congress, and approved by a Republican President. In many of these changes there was a marked reduction in rates of duty. Indeed, there has never been a time during the forty years of Republican control that a Republican Congress did not respond to a popular demand for tariff changes, whether of advance or reduction. With this record it seems not unreasonable to assume that any changes in the tariff justified by conditions will be not only demanded of Congress by the people through their usual channels of approach, but that the changes thus demanded will be promptly made, as they have always been during the record of the Republican party.

These citations from the fountain of Republican authority, warrant me in urging a revision of the present tariff, and for making that revision now.

#### INSTANCES OF TARIFF REDUCTION.

The act of June 6, 1872, entitled "An act to reduce duties on imports," affected hundreds of articles. By section 2 of that act the existing duties on manufactures of cotton, wools, iron and steel, paper, india rubber, glass, and leather, were reduced 10 per cent. By the same act, logs and round unmanufactured timber were placed on the free list, as was paper stock of every description.

The act of February 8, 1875, amended the act of 1872 in many ways, one of which was a further reduction on iron; changes were also made in the free list.

The act of July 1, 1879, put quinine on the free list.

The act of March 3, 1883, put the duty upon unpolished cylinder, crown, and common window glass at rates ranging from 1½ cents per pound to 2½ cents per pound, according to size; the McKinley Act placed the duties on the same sizes at from 1½ cents to 3½ cents per pound.

The act of 1883 also reduced the rates on lumber made from hemlock, whitewood, sycamore, and basswood.

The tariff commission created by act of May 15, 1882, recommended a reduction of not less than 20 per cent. This commission was appointed by President Arthur, and consisted of nine persons—five Republicans and four Democrats, the four Democrats being protectionists.

This committee in its report said that these reductions were due not only to a recognition of public sentiment and as a measure of justice to consumers, but as conducive to the general industrial prosperity and beneficial to the special interests affected by such reduction.

Complying with these recommendations Congress, by act of March 3, 1883, reduced the existing rates from 5 to 20 per cent, according to the report of the Chief of the Bureau of Statistics of the Treasury Department.

#### DIFFERENT TARIFFS OF THE UNITED STATES.

From the very organization of the American Government the dual ideas of "revenue and protection" have been interwoven in every tariff law that has been passed, and changes have been repeatedly made to meet the greater or lesser demands of one or the other of these ideas.

The language of the tariff law of 1789, the first tariff law passed under our Constitution, is as follows:

Whereas it is necessary for the support of government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures that duties be levied on goods, wares, and merchandise imported, etc.

This tariff imposed duties upon about seventy-five articles, the rates ranging from 7½ to 15 per cent on the ad valorem articles, though on more than half of the articles the duties were specific. In 1790, 1792, and 1794 the number of articles was increased and the average rate of duty averaged about 13 per cent. These rates were more than doubled under the exigencies of the war of 1812, reaching the average rate of 32.7 per cent. In 1816 the Lowndes-Calhoun bill reduced the average rates about 6.7 per cent, leaving the average rate 26 per cent, and remained in operation until 1824. Experience showed our fathers that these rates were too low, and in 1824 they passed a law which raised these rates to 37 per cent, which were raised to 48 per cent in 1828. For many years after the passage of these last laws the prosperity of the country was unparalleled. In 1833 the Clay compromise tariff act was passed, providing for a gradual yearly reduction until an average of 17 per cent should be reached. This was followed by the high-tariff act of 1842, which in turn was succeeded by the low-tariff act of 1846, which was succeeded by the Republican tariff act of 1861. Since then twenty tariff acts, or changes of acts have been made, and the country now demands a further revision. The present average rate is 49.03 per cent.

#### WHAT HAS PRODUCED THESE CHANGES.

Changes of party control are responsible for many of these changes of schedules, which, in turn, show that in the industrial and commercial fields there is continued warring and changing ideas as to the exactness of any schedule and as to the propriety of making the free list contain a larger or smaller number of articles. Congress responds to the demands of the people, while the people determine the whole matter according to their varying interests. Goods which at one time are made dutiable are at another, and by the same party, placed on the free list; transpositions from the free to the dutiable list are constantly occurring; all depending at last upon a real or a supposed advantage to the people and responding to their demands.

That there is a widespread feeling of tariff unrest can not be denied. It comes from the West, South, and Northeast principally. The agriculturists of Iowa, Minnesota, and Wisconsin find incongruities in the Dingley tariff which entail hardship upon them and preclude them from garnering to the fullest extent their share of the general prosperity. The manufacturers of the Northeast are knocking at our doors for changes which shall remove hardships from their path. That the Dingley schedules were higher than the necessities of protection demanded is proven by the section of the bill which contained an express provision for a reduction of the rates to the extent of 20 per cent through reciprocity treaties. This reciprocity feature was hailed by us as the "crowning glory" of the bill, as by and through its beneficent operation we expected such reductions of the unnecessarily high schedules as would bring them within the pale of true protection, besides securing enlarged markets for the prod-

ucts of our farms, forests, and factories. These reciprocity treaties have not been negotiated, and the admittedly high schedules therefore have not been reduced.

Senator DOLLIVER, in speaking (January 13, 1903, in the Senate, vol. 36, pt. 1, p. 710) upon this question, said:

I undertake to say here that more violence has been done the protective system by the quiet and uncommunicative failure of the Senate to take action upon treaties which were negotiated under the act of 1897 than by all the noise that has been made on the other side of the Chamber. It is a reproach to the Government of the United States to-day that there is hardly a line of the wisdom of James G. Blaine remaining upon the statute books of our country, and that not one step has been taken to give reality to the magnificent vision which illuminated the last days of poor McKinley's earthly career.

Without stopping to discuss reciprocity, I may be permitted to say, however, that since the reciprocity feature has failed all the original reasons against the unnecessarily high rates upon certain schedules by the Dingley tariff are thereby revived, to be reenforced by other and subsequent reasons against their continued existence and in favor of their immediate reduction or removal.

The time has come when, as Governor Cummins said in his speech at Detroit in 1902, "Changes are demanded without respect to the modification of the duties levied by any country upon our exports." In that speech he cited the iron and steel duties as those that "ought to be reduced, not years hence, but now."

In agreeing with the conclusions of the distinguished gentleman as to immediate revisions of the iron and steel schedules, I do not desire to be understood as being in the slightest degree more hostile to iron and steel than to many other equally unnecessary schedules. These elements form the basis of hundreds of other industries, which are in their turn seriously handicapped by the high prices which the tariff enjoins. Many cities in my State and throughout the Northwest having a population of 10,000 and less, have factories for the manufacture of implements, engines, tools, carriages, wagons, etc. These send out of their midst thousands of machines and engines every year; they export thrashing machines, harvesters, plows, cultivators, carriages, wagons, and different kinds of engines. To say that the high tariff upon iron and steel handicaps these industries by enabling the trust to impose unnecessarily high prices is but to state what is universally true.

#### IRON AND STEEL RATES.

Notwithstanding the fact that we are among the greatest iron and steel producers of the earth, having exported for eleven months in 1904 (ending November) a valuation of \$118,182,990, excluding ores, we impose rates of ad valorem duty on the following items, as shown by the Treasury returns for 1904:

	Ad valorem rate.
Bar iron:	
Blooms, billets	28.99
Rolled or hammered flats	55.07
In coils	33.46
Bars or rails for railways:	
Iron	31.64
Steel	34.33
Steel ingots:	
Valued at less than 1½ cents per pound	32.37 to 35.48
Valued at more than 1½ cents per pound	16.50 to 39.53
Hoop iron	31.80 to 37.47
Band-saw steel	57.52 to 65.42
Boiler plate	25.00 to 60.00
Sheet steel:	
Valued at 3 cents per pound, or less	34.39 to 43.45
Valued at 3 cents, cold rolled	31.61 to 53.20
Cleaned by acid	35.65 to 47.92
Sheet steel or sheet iron:	
Corrugated	29.25
Corrugated and galvanized	55.67
Sheet and plates for saw plates	20.85 to 42.85
Tin plates	44.21 to 51.68
Wire rods	10.81 to 34.12
Wire, round iron or steel	38.45 to 55.29
Wire, round iron or steel, coated	18.07 to 63.80
Wire rope and strand	22.80 to 55.48
Axles	40.82
Anvils	41.51
Bolts	50.82
Buckles	33.60 to 67.28
Card clothing tempered steel	61.29
Cast-iron pipe	8.19
Cast-iron vessels	26.45
Chains of iron or steel	45.00 to 174.84
Cutlery	40.00 to 95.13
Average cutlery	64.02
Average files	69.20
Average firearms	45.48
Forgings	35.00 to 45.00
Horse, mule, or ox shoes	45.00
Average nails and spikes	27.69
Saws	28.89
Screws	47.83 to 76.50
Average tubes	35.82

I believe that these enormously high schedules should be reduced.

(1) The leading managers of the steel trust have openly declared they care nothing about the tariff. The Chicago Inter Ocean, in answering Governor Cummings, said:

Everyone knows that of all the so-called trusts the steel trust is most indifferent whether the tariff stays up or goes down.

If the steel trust is indifferent to the tariff, it is reasonably certain that a readjustment would not injure its independent American competitors.

Before the Industrial Commission, in 1900, Mr. Reis, president of the National Steel company, said:

The tariff so far as it is placed upon steel billets, bars, and sheets is no longer necessary for the protection of the industry. No steel is imported, and during the past eight years the tariff has cut no figure.

Mr. Guthrie, president of the American Steel Hoop Company, also said, before the Commission, as follows:

I believe that protection is still necessary, although we can already compete in the sale of those products practically throughout the world, and are likely to be more and more able to control the world market.

Again, Mr. Gary, president of the Federal Steel Company, used this language in addressing the Commission:

If the tariff is so high as to create a monopoly, it has gone too far. I think the real tariff question is to determine just how much protection is necessary to enable the industries of this country to continue in business at living prices, so as to take care of the workmen, and so as also to prevent the foreigner from having the control of the business to the prejudice of the domestic consumer.

Finally, Mr. Schwab, president of the steel trust, in summing up the matter, said:

I do not think that my business would be injured if all iron ore were admitted free of duty, and that on lines of steel in which labor does not form an important part of the cost we have reached a point where we do not need the tariff.

(2) Underlying all these vital statements of these industrial captains as to their ability to do without the tariff is the greater truth that the United States is the greatest producer of iron and steel among all the nations of the earth; that our industrial position has advanced to a point where the need of props is no longer felt. We can meet the world in an open fight for supremacy in iron and steel, and these changed conditions warrant a change in schedules.

In 1880 Great Britain produced 6½ million tons of pig iron, or 45 per cent of the world's total production, and equal to the total production of the next five iron-producing countries.

In 1890 the world's production had increased 59 per cent, while that of Great Britain increased 17 per cent, Germany and the United States having respectively increased their production by 93 per cent and 197 per cent. The United Kingdom's share of the world's total production had fallen to rather more than one-third, while that of Germany had risen to about one-sixth, and that of the United States to about one-fourth. Early in the nineties Great Britain gave up the lead to the United States, hauled down her flag of imperial world domination, and has never regained her ancient footing. The United States by leaps and bounds throughout the last decade still further increased her lead, and left Germany to contend with England for second place. The total production of the United States in 1904 was but a trifle less than that of England and Germany combined.

On the other hand, if we turn to the consumption of pig iron, we now find Great Britain in the third place among iron-consuming countries.

The results in steel are even more striking. From 1876 to 1880 the average annual production of steel in the United Kingdom represented one-third of the world's total requirements. It now represents less than one-seventh. The United States and Germany are the only two countries whose production has increased more rapidly than the world's demand. The former has increased her proportion from one-quarter to two-fifths; the latter, from one-sixth to more than one-fifth. The consumption of steel in the United Kingdom per head of population has increased by 294 per cent, and the corresponding increases for the United States and Germany are 981 and 1,026 per cent, respectively.

The total imports into the United States of iron and steel, including ore, for year ending June 30, 1904, aggregated \$28,621,715.

The total exports of iron and steel, and manufactures thereof, including ore, amounted to \$112,202,935.

Comparing the exports of iron and steel and their manufactures for 1904 with the exports for the five years preceding, we have:

1904	\$112,202,935
1903	96,642,467
1902	98,552,562
1901	117,319,320
1900	121,913,548
1899	93,716,031



It will be seen from this table that our manufacturers of iron and steel have established a foreign trade of immense proportions, and it is fair to assume that our unchallenged position of leadership in production will enable them to maintain this trade against all the world.

From the census of 1900 it appears that the value of the entire product of iron and steel and their manufactures was \$835,759,034. The exports for 1904 had a value of \$112,202,935, or more than 13 per cent of the entire production for 1900. (There are no figures for entire valuation later than 1900.)

These figures show conclusively that production has long since outclassed consumption and that the demand for markets is a greater question than that of protection.

3. The problem enlarges if we include manufactures of every kind in the discussion. In 1800 80 per cent of our exports came from agriculture and but 7.83 per cent from manufactures; in 1830 agriculture showed the same percentage, while manufactures had swollen to 11.35 per cent; in 1860 agriculture had 81.13 per cent and manufactures 12.76 per cent; in 1870 agriculture 79.35 per cent and manufactures 15 per cent; in 1890 agriculture had 74.51 per cent and manufactures 17.87 per cent; in 1900 agriculture had 60.98 per cent, while manufactures had 31.65 per cent.

Table showing exports of agricultural and manufactured products.

Year.	Agriculture.	Manufactures.
1900	\$835,858,123	\$433,851,756
1901	934,811,020	410,932,524
1902	851,465,622	403,641,401
1903	873,322,882	407,526,159

In one hundred years our annual yield of agricultural products has increased in value rather more than 3,225 per cent, while the corresponding increase in manufactures has been something more than 2,000 per cent. The backbone of our export trade is now as it ever has been, in the agricultural division of our industries. And in this division the demand for greater markets is an increasingly difficult one to solve.

The agriculturist in an almost unprotected field competes with the agriculturists of the world and maintains his ground.

The testimony as to the manufacturer's world competition develops two classes of export trade.

1. A class of manufacturers, regularly in the export trade, who sell abroad at rates correspondingly equal to rates charged at home.

2. Another class that creates a trade by selling the foreigner at a less rate than the home price.

In my opinion, neither of these classes is in position to claim the benefits of a tariff for protection, and that the time has come when the interests of the whole people demand a reduction of the schedules.

In iron and steel we have the testimony of James M. Swank, general manager of the American Iron and Steel Association, in a letter written in 1902 to Hon. JOHN DALZELL. He says:

With regard to the prices at which our iron and steel products have been sold abroad it can be said with entire frankness, that while there have been some sales made at lower prices than have been charged to domestic consumers, the large majority of the sales have been made at the same prices as have been obtained at home, or at even higher prices. (Republican Campaign Book, 1904, p. 25.)

Should we admit that the cases of lower prices abroad than at home are, so far as iron and steel are concerned, mere sporadic cases, it follows that this industry is in a condition where the tariff cuts no figure, and can not be injured by a revision.

On the other hand, if they are not sporadic cases, but the result of a settled policy, the reasoning for a reduction is augmented.

The Industrial Commission of 1900, which convened at Washington, reached the conclusion that—

In about 20 per cent of the cases covered by the Commission returns the export prices have ruled lower than those charged to home consumers. (Vol. 19, p. 626.)

This same Commission recommended a commission to investigate "what concessions in duties" should be made to cure this evil.

President Schwab told the Commission that everything was sold cheaper abroad than at home.

By looking over the testimony taken by the Congressional Merchant Marine Commission, it will be seen that many shipbuilders stated that foreign shipbuilders were purchasing steel plates, angles, etc., of American manufacturers cheaper than American shipbuilders can buy them. (See Hearings of the Merchant Marine Commission, 1904.)

Some of these differences are as follows:

At Cleveland, Ohio, Mr. James E. Wallace, one of the American Shipbuilding Company, building ships on the Great Lakes (p. 810), stated that American steel was delivered at Belfast for \$24 a ton, while the same steel cost purchasers in this country \$32 at Pittsburg.

Mr. J. J. Hill stated to the Commission at New York that—Canadian railroads were buying steel rails of the steel trust at about \$10 a ton cheaper than his road could obtain them on this side of the line. (P. 164.)

The New York Journal of Commerce and Commercial Bulletin of July 30, 1904, called attention to a sale of several thousand tons of steel plate at Pittsburg, to be delivered at Newcastle-on-Tyne, at \$20 a ton, or at about \$8 less than a man in Pittsburg could have bought them.

In the August report (1900) of the Bureau of Statistics on commerce and finance this language occurs:

If restriction of consumption at home does not operate to prevent the shortsighted policy of discrimination against domestic development of manufacturing industries, the other contingency is more or less sure to rise, namely, the demand for the reduction of the tariff on unfinished iron and steel, in order to equalize the opportunity of makers of finished products in foreign markets.

At another place the same report says:

The progress of work in shipbuilding in the United States has likewise been retarded, because makers of steel materials required a higher price from American consumers than they did from foreign consumers for substantially similar products.

If this plate had been sold at these rates to our own shipbuilders, it would have lessened the handicap of this industry and aided the solution of our American merchant marine. And if the tariff on unfinished iron and steel were reduced, it would give a tremendous impetus to the manufacturing industries of our small towns in the production of engines, boilers, tools, agricultural implements, wagons, carriages, etc., besides yielding a large and valuable saving to the thousands of domestic consumers who are forced to buy at home.

Despite the high tariff, and despite the fact that our manufacturers must buy their product of unfinished iron and steel from the steel trust, we are still able to undersell European manufacturers and to export large quantities of manufactured goods.

From the Monthly Summary of Commerce and Finance for November, 1904 (Department of Commerce and Labor), page 1777, it appears that we exported during the first eleven months of last year the following amounts:

EXPORTS.		Valuation.
Mowers and reapers	-----	\$10,765,417
Plows and cultivators	-----	2,716,720
Other agricultural implements	-----	7,275,938
Total	-----	20,758,075
Automobiles	-----	1,682,994
Cars for steam railways	-----	2,016,589
For other railways	-----	840,756
Wheelbarrows, carts, and trucks	-----	287,595
Other carriages	-----	2,967,208
Total, except cycles	-----	7,795,342
Rails for railways	-----	10,182,402
Steel wire	-----	5,426,020
Builders' hardware	-----	10,224,434
Machinery:		
Cash registers	-----	1,685,938
Laundry	-----	460,636
Metal working	-----	3,246,726
Printing presses	-----	1,355,119
Pumps and pumping	-----	2,514,945
Sewing machines	-----	5,517,287
Shoe machinery	-----	1,145,794
Stationary engines	-----	996,704
Boilers	-----	1,835,798
Typewriting	-----	3,826,669
Woodworking	-----	575,307
All other woodworking	-----	30,888,387
Pipes and fittings	-----	6,520,956
Scales	-----	561,727
Stoves	-----	740,569
Lamps	-----	1,394,504
Paper and manufactures of	-----	7,205,913
Wood and manufactures of:		
Timber and unmanufactured wood—		
Sawed	-----	7,274,580
Hewn	-----	806,887
Logs and other lumber	-----	3,244,522
Lumber	-----	25,024,764
Boards	-----	831,201
Joists and scantlings	-----	58,364
Shingles	-----	711,285
Shooks	-----	933,053
Box	-----	4,076,496
All other	-----	163,434
Staves	-----	2,662,090
Heading	-----	
All other	-----	
These, with others, make a total of unmanufactured wood exports of	-----	45,786,676

Manufactures:	
Doors and sash	\$929,784
Furniture	3,933,924
Woodenware	814,930
Wood pulp	366,629
All others	4,403,790

Nearly all of these, excepting the exports of wood, were produced by manufacturers in small towns, who must buy their stocks of unmanufactured iron and steel from the steel trust, or from the independent companies, whose prices are fixed by the steel trust. These small manufacturers are paying exorbitant prices for their raw material, which enlarges the price to the consumer, and that unnecessarily.

Anyone who will carefully read the report of the Chamberlain tariff commission will be led to the conclusion that very nearly all of our exports of manufactured goods are sold abroad at rates less than they are sold at home; and the recurring offers, bids, and advertisements printed therein preclude the idea of surplus sales, and seem to establish the settled policy of manufacturers to use the protected home market as a means to sell foreigners at lower rates than they charge American citizens. The rational policy of keeping the domestic and foreign markets as nearly as possible on a par in the price of these materials has been abandoned. The manufacturers behind their tariff wall maintain high prices at home and low prices abroad.

The time has come when the people ask for such a revision of rates as will give them an equal chance with foreigners in obtaining cheaper goods.

(4) The argument that the prosperity of the manufacturing interest is the sole cause of the prosperity of the agricultural interest must be modified. Thirty-nine years ago the State of Kansas produced but 260,496 bushels of wheat. In 1903 any one of more than a dozen counties in that State produced more than ten times that amount. There were thirty-eight separate counties in 1903 any one of which produced more than 1,000,000 bushels of wheat, all of them producing 88,000,000 bushels out of something more than a 100,000,000-bushel crop. (Report Kansas State board of agriculture.) Similar results appear in many other wheat-producing States. Such remarkable thrift justifies the thought that agriculture prospers to a large extent on its own account, and laps over and furnishes the broad basis for manufacturing prosperity. Such crops demand an enormous amount of agricultural machinery and implements, very nearly all of which is the direct product of iron and steel. And when it is shown by irrefutable statistics that not only iron and steel are regularly sold abroad cheaper than at home, but agricultural implements and machinery are also given to foreigners cheaper than to our own citizens, the demand for a reduction of the iron and steel schedules becomes not only plausible but the essence of righteousness itself.

#### CAPITALIZATION AND PROFITS OF THE GREAT STEEL TRUST.

The United States Steel Company, formed in February and March, 1901, owns the stock of eleven great companies, which control 75 per cent of the industry. These companies, with their original capital stock, are as follows:

Company.	Common stock.	Preferred stock.
American Steel and Wire Co	\$50,000,000	\$40,000,000
American Tin Plate Co	30,000,000	20,000,000
National Steel Co	32,000,000	27,000,000
American Steel Hoop Co	19,000,000	14,000,000
National Tube Co	40,000,000	40,000,000
Federal Steel Co	50,000,000	50,000,000
American Bridge Co	30,000,000	30,000,000
American Sheet Steel Co	25,000,000	24,000,000
Carnegie Co	156,000,000	160,000,000
Lake Superior Consolidated Iron Mines	28,000,000	
Shelby Steel Co	8,000,000	5,000,000
Total	468,000,000	410,000,000
Grand total	\$878,000,000	

<sup>a</sup> Bonds.

(See Report of Industrial Commission, vol. 13, p. 448, et seq., and p. 518 et seq.)

The original capital stock of the United States Steel Corporation was \$850,000,000, one-half 7 per cent preferred and one-half common stock. The charter also provided for the issue of 5 per cent gold bonds to an aggregate not exceeding \$304,000,000. (Ibid., p. 476.)

It is understood that these gold bonds were issued in order to acquire the Carnegie Steel Company by an agreement which has never been disclosed. This yields the Carnegie Company something more than \$15,000,000 per annum in addition to its dividend share.

The tremendous power of the steel trust will be seen by a more particular analysis of its companies.

The American Bridge Company was a consolidation of twenty-six separate organizations, controlling 90 per cent of the bridge tonnage of the United States.

The American Sheet Steel Company was a union of twenty-six companies also; the American Steel Hoop Company, eleven companies; the American Steel and Wire Company, twenty-seven companies, controlling the whole industry in the United States; the American Tin Plate Company controlled 265 mills, doing 95 per cent of the business in the United States in 1898; the Carnegie Company controlled a great number of steel, ore, coal, steamship, and other companies; the Federal Steel Company, many steel, ore, railroad, and other companies; the National Tube Company, seventeen companies, doing 90 per cent of the tubular-goods trade; Shelby Steel Tube Company, thirteen seamless tube companies allied with the American Bicycle Company.

Besides these constituent companies, the United States Steel Corporation has "harmonious relations" with the American Can Company, Cambria Steel Company, Bethlehem Steel Company, and others.

The capital stock of this corporation was afterwards increased to \$1,100,000,000, in equal parts of common and preferred stock. From these figures it is evident that the overcapitalization of this company is the difference between \$878,000,000 and \$1,100,000,000, or about \$220,000,000, to say nothing of the overcapitalization of the constituent companies whose original stocks were exchanged at par. If the capital stock of the companies controlled by and working in harmony with the steel trust be included, the capital stock becomes \$1,752,371,856.

From newspaper accounts, published over the signature of the secretary of the company, the net profits of the steel trust for the year ending December 31, 1902, were over \$133,000,000, of which it has been estimated by experts that from one-fifth to one-fourth of the selling price of steel goods is due to tariff protection, admitted to be unnecessary to preserve the industry and serving only to enable this company to extort exorbitant prices from the home market, while selling its goods to foreigners at about 75 per cent of what it charges Americans for the same goods.

#### WOOD PULP AND PAPER.

By reference to volume 13, page 414, of the Report of the Industrial Commission it will be seen that the American Newspaper Publishers' Association, representing 157 daily newspapers of the United States, and representing the bulk of the total consumption of print paper, ask that wood pulp and paper be placed upon the free list. They say:

The tariff on paper is prohibitory and the rate for wood pulp is excessive. The American paper manufacturers need no protection, because they can manufacture paper cheaper than is done in any part of the world.

Our total exports of paper and manufactures thereof for eleven months of 1904 were \$7,205,913. Our imports for the whole year were \$5,306,871, with a duty of \$1,495,141, or 28.17 per cent ad valorem. The duty on wood pulp is from one-twelfth to one-fourth of a cent per pound.

In the testimony of Mr. John Morris, business manager of the New York Times, pages 424-425, it is shown by accurate calculations that no American manufacturer of paper needs protection. Aside from economic reasons and based entirely upon the preservation of our forests, not only wood pulp but lumber should be placed upon the free list. This is shown in the brief of the American Newspaper Publishers' Association heretofore referred to.

The New York Journal of Commerce and Commercial Bulletin of May 17, 1901, said:

The removal of duties on lumber and wood pulp would deprive lumber monopolies and wood-pulp monopolies of their exceptional advantages; no American industry would be checked for a moment, and no American workman would have his wages reduced a cent.

#### THE LUMBER SCHEDULES.

The tariff of 1874 put a duty of \$1 a thousand feet on hemlock, whitewood, basswood, and sycamore; and a duty of \$2 per thousand feet on white pine, spruce, and a variety of other woods.

The act of 1883 was substantially the same. The McKinley Act took white pine out of the \$2 schedule and put it in the \$1 class. The act of 1894 put lumber on the free list. The Dingley Act is a complicated schedule: Sawed lumber, unplanned from whitewood, sycamore, and basswood, from \$1 to \$2.50 per M; other sawed lumber, \$2 to \$4 per M. Of these we import practically nothing save of the sawed lumber not planed; of this, in 1904, we imported \$8,175,249, with a duty of \$1,107,188, or 13.54 per cent ad valorem, or \$2 per thousand feet.

This industry has possibly the best organization of any of the protected industries, and through this organization it has been enabled to maintain the present high rates. The National Lumberman's Association and the United States Lumber Manufacturers are ramified throughout the entire country.



The depletion of our forests under the high prices generated by this tariff rate demands a reduction of this schedule.

From all these considerations I am led to believe that the tariff should be revised. Protection is a doctrine redolent with good—a doctrine that has been the real glory of the Republican administration, and which has in most marvelous methods developed our national power. It is a doctrine that encompasses in its healing folds the high and the low, the rich and the poor. It should be alike helpful to all, and in its main features has attained that magnificent end.

If, however, its beneficent virtues be permitted to fall into the hands of monopoly and oppression, its luster will be dimmed and its power impaired, if not destroyed. Protection is in the hands of its friends, and any set of schedules put out by them under its inspiration must be guarded lest they create the very ill that protection was designed to obviate.

The smaller manufactures of the country, paying the high prices demanded by great corporations acting selfishly behind an unneeded tariff wall, may be forced to ask protection, not against foreign competition, but against American corporations whose exorbitant prices make it impossible for them to thrive. And that time, if all signs are right, is at hand.

Certain schedules are producing little or no revenue; the great corporations for which they were instituted say they no longer need their protecting hand; with a monopoly of the domestic market they maintain high prices at home—prices which prohibit the extension of small manufactures at home—diminish home consumption, and take from the mass of our citizens an unnecessary part of the general good while selling their wares abroad at competitive rates.

Farm products fluctuate in price with every month of the year, while the prices of manufactured goods remain practically stationary. Under freer competition the prices of raw and finished products will naturally keep company. Under changed schedules a freer competition will follow, a greater revenue will flow into the national exchequer, new industries will be started at home, domestic consumption will increase and multiply, bringing greater comfort and happiness to our homes; the wages of labor will not decrease, nor will the healthful profits of a single American enterprise be endangered.

The good which protection offers will go to a greater number, and our great prosperity will be divided among those who are its legitimate sponsors and creators, the millions of farmers and workmen throughout the land. It is universally admitted that certain changes would be advantageous; it is suggested by some that these changes, though just, should wait a little longer. Nothing but continued ill can follow the waiting policy, while an increasingly greater good will follow a quick remedy for the admitted disease. I believe in protection for protection's sake, but am not willing that its majestic principles shall longer be dragged in the mire of selfishness and greed. I am for prudent revision by Republican protectionists, and I am for that revision now. [Applause.]

Mr. HEMENWAY. Mr. Chairman, I wish to make a similar request to that made by the gentleman from Missouri [Mr. BENTON], that if, during the progress of the reading of the bill under the five-minute rule, I desire to yield the balance of my time to other gentlemen I may do so.

The CHAIRMAN. The gentleman from Indiana makes a similar request to that made by the gentleman from Missouri, that if he desires to use the balance of his time during the progress of the reading of the bill he may do so. Is there objection?

There was no objection.

The CHAIRMAN. There is now remaining sixty-seven minutes to the credit of the gentleman from Indiana and forty-five minutes to the gentleman from Missouri. The Clerk will read.

The Clerk read as follows:

PUBLIC BUILDINGS.

Adrian, Mich., post-office: For completion of building under present limit, \$20,000.

Mr. STEVENS of Minnesota. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to extend in the RECORD remarks I made on the rate bill. I was not able to prepare the tables in time to comply with the limit fixed by the House.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that he may extend his remarks on the rate bill. Is there objection?

There was no objection.

Mr. STEVENS of Minnesota. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Jacksonville, Fla., post-office, custom-house, etc.: For completion of extension under present limit, \$100,000.

Mr. BURTON. Mr. Chairman, I ask unanimous consent that we may return to page 3 of the bill, lines 17 to 19, in reference to the appropriation for the city of Cleveland.

Mr. HEMENWAY. Mr. Chairman, I shall object unless I know something about it.

Mr. BURTON. I desire to offer an amendment.

Mr. HEMENWAY. What is the nature of it?

Mr. BURTON. The amendment is a limitation upon the expenditure of the money.

Mr. HEMENWAY. I think, Mr. Chairman, I shall have to object.

Mr. BURTON. I trust the gentleman from Indiana will not press his objection. As the gentleman knows, it was definitely stated that there should be a general debate for four hours. I was out of the Hall for a few minutes, and the four hours has but a little more than half expired. I think it is but fair, under the circumstances, that leave should be granted.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to line 17, page 3.

Mr. HEMENWAY. Mr. Chairman, at this time I shall have to object. Later on, when the other parties interested are in, I may withdraw the objection.

The Clerk read as follows:

New York, N. Y., rent of old custom-house: for rental of temporary quarters for the accommodation of certain Government officials, \$130,600.

Mr. SULZER. Mr. Chairman, I move to strike out the paragraph just read by the Clerk to pay the National City Bank of New York City \$130,600 for one year's rent for the old custom-house in the city of New York. I think most of the Members know something about this old, bewhiskered, long-standing, and continuing steal by the National City Bank of the city of New York. It is a great national scandal. The Members of this House, I take it, have not forgotten the fight I made last year against this steal, and for several years, ever since the scandal began, when a former Secretary of the Treasury, Lyman J. Gage, entered into a private contract, I think in 1897 or 1898, with the National City Bank to sell to it the old custom-house property, taking in an entire block in Wall street, for about one-half of the real value of the property. I think the purchase price agreed on was \$3,200,000, about one-half the true value of the property according to the opinion of competent real estate experts. The bank has on deposit upward of from fifteen to twenty million dollars all the time of the Government's money, for which it pays the Government no interest.

The bank paid the Government \$50,000 on account of the \$3,200,000 that they were to pay for this property, but the rest of the money the bank has never paid to the Government, and the deed from the Government to the bank has never been delivered and recorded in the city of New York. The consequence is that for years the bank has held the Government's money, paid the Government no interest on it, and has loaned this money out to borrowers and made from 60 to 80 per cent profit a year on the money loaned—the people's money, too. Then the next thing the Secretary of the Treasury, Mr. Gage, did was to agree that the Government would pay the bank a rental of \$130,600 a year for the old custom-house until the new custom-house is finished, and no one can tell how long that will be; and the Government has been paying the National City Bank this amount of money—\$130,600 a year—for rent ever since that transaction took place six or seven years ago. Mr. Gage was very good to this bank. Why? Well, we will see. Of course it was a secret, unconscionable contract. Of course the people were robbed, but that is the policy of the "system."

The result is that the Government has never received a dollar, still owns the property so far as the record shows, and is paying every year a rental of \$130,600 to the National City Bank. Shocking, is it not? And if it continues the bank will get back from the Government practically every dollar that the bank agreed to pay the Government for the property, and if it keeps on for a few years more the National City Bank will get this custom-house property, one of the most valuable blocks of property in the city of New York—some say it is now worth \$10,000,000—for absolutely nothing. And do not forget the bank has never parted with a dollar—kept the money in the bank all the time—just transferred it, if you please, from one account to another. Here is frenzied finance indeed.

Now, another thing I desire to call to the attention of the Members of this House in this connection, and that is that the failure of the Government to deed this property to the bank and the failure of the bank to record the deed in the register's office of the county of New York prevents the city of New York from taxing this property, because it still remains Government property—the title stands in the name of the Government.

The city of New York is therefore deprived of a large amount of tax every year, because the city or the State can not tax Government property. This is one of the greatest scandals in this country. It is a notorious fraud, and is a stench in the nostrils of honest men. It should be stopped now. We can do it by striking out of this bill this appropriation of \$130,000 for rent, which is a fraud on its face; and if we do we will compel the bank to pay the money it owes into the United States Treasury and record the deed, so that the property can be taxed by the people of New York City. Let us do this and end this disgraceful business. What is the influence behind the National City Bank? Who owns this bank? Every man in this House knows what that influence is and means. Every Member knows, or should know, that the National City Bank is the Standard Oil bank—the Rockefeller bank. That tells the story. That is why this damnable steal is a yearly continuing steal. Read Thomas W. Lawson's story of "Frenzied Finance" in Everybody's Magazine and you will know the sinister grafting influence, the tremendous political power that bank has had in governmental affairs in this country, to say nothing of its malignant influence in Wall street on the finances of the country.

If there is a Member here in doubt as to how he should vote on my motion, I suggest that he get and read the report made by Secretary Gage to this House in answer to a resolution introduced by me calling for the letters from the officers of the National City Bank to Secretary of the Treasury Gage, and the latter's answer thereto. Read those incriminating letters. The National City Bank wanted the people's money deposited in its bank—because, forsooth, it had made a large campaign contribution to the Republican party in 1896.

Mr. Gage got out of the Cabinet soon after these disclosures were made. Why? I believe he became president of a national bank in the city of New York. Who owns or controls this bank? Ask the National City Bank. The "system" always takes care of its own. But I want to be just and charitable, and I will not pursue this matter further. All I want to do now is to stop the steal—end the scandal. Let the bank pay the Government what it owes. Let the deed be filed and recorded, and the bank will have to pay its share of the taxes of New York County.

I trust my motion will prevail. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired and the gentleman from New York [Mr. SULZER] moves to strike out the paragraph.

Mr. WILLIAMS of Mississippi rose.

The CHAIRMAN. The Chair will recognize the gentleman from Indiana [Mr. HEMENWAY].

Mr. HEMENWAY. Mr. Chairman, I would like to close, and if the gentleman from Mississippi [Mr. WILLIAMS] wants to be heard at this time, I would prefer that he would proceed now.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I want to say a few words in support of the motion made by the gentleman from New York. This paragraph reads, "rent of old custom-house." Now, as I understand it, the Government of the United States has sold that custom-house to the bank which has been mentioned by the gentleman from New York [Mr. SULZER], and after having sold it to the bank, after having neglected to collect the money from the bank, and not having yet made a deed to the bank, thereby aiding the bank to escape local taxation, it is going on every year renting from the bank and paying it a rental sufficient to extinguish the amount of interest due upon the sum total of the purchase money for which the building was sold. I think that the remarks made by the gentleman from New York [Mr. SULZER] are thoroughly apt. I do not know of any transaction that has ever taken place between a great government and a corporation, or anybody else, that has assumed an attitude where it stands stamped upon its very face with so much of fraud and dishonor as this.

Mr. BAKER. Mr. Chairman, I understood my colleague the gentleman from New York [Mr. SULZER] to say that the letter to which he referred was written by Secretary Gage.

Mr. SULZER. No; it was written by Mr. Hepburn, then vice-president of the City National Bank.

Mr. BAKER. I so understood, and I merely wanted to make that correction. I desired to say that the writer was A. Barton Hepburn, who at that time was vice-president of the City National Bank, and is now vice-president of the Chase National Bank.

Mr. Chairman, my colleague [Mr. SULZER] has very properly called attention to this scandal, because it is nothing less than a scandal. There is absolutely no kind of a defense that can be made for such a transaction as this. At a time when the whole

country—certainly the West—is being shaken to its center by the outrages of the Standard Oil Company, when the people of Kansas, of Nebraska, of Missouri, and of Illinois are at last rising in revolt against the oppression of the Standard Oil Company—here to-day, in this paragraph, the Government of the United States, speaking through the Republican party, speaking through the Committee on Appropriations, perpetrates this outrage upon the people in behalf of this very company, for the National City Bank is the Standard Oil Bank, the very combination of capital so properly called by Thomas W. Lawson "The System"—the Standard Oil Company; and this bill contains \$130,000, which is practically a gift to the men who constitute "The System," against whom, as I say, the people of the West at this time are rising in revolt. And what is the answer made by the Republican Administration to that? The same answer, I suppose, that was made last year—that the transaction is not yet complete. Mr. Chairman, on a previous occasion I said that words failed me to adequately describe my view of certain legislation, and I was told from the chair that was a good thing; but certainly this is one of the occasions when words absolutely fail me to adequately depict the scandalous nature of such a transaction.

Mr. HEMENWAY. Mr. Chairman, the statements made by the gentlemen have been made over and over in this House. The contract was made years ago. It is sufficient to say that it is a contract of the Government made under authority of law, and if we were to fail to appropriate in this bill for the rent the City National Bank could go into court and get its money in a judgment against the United States for rent.

Mr. SULZER. What court?

Mr. HEMENWAY. Oh, the gentleman will please—

Mr. SULZER. Oh, answer the question.

Mr. HEMENWAY. The gentleman will please keep quiet until I yield to him. I have not yielded to the gentleman.

Mr. SULZER. Well, answer that question.

The CHAIRMAN. The gentleman from Indiana has not yielded to a question.

Mr. SULZER. Oh, he can not answer the question. I thought he was a lawyer.

The CHAIRMAN. The gentleman from New York [Mr. SULZER] is not in order.

Mr. HEMENWAY. Mr. Chairman, this is a contract made by Secretary Gage with the City National Bank. Neither the gentleman from New York [Mr. SULZER] nor the gentleman from Mississippi [Mr. WILLIAMS] need not tell me that the Government can not be sued, but the Government is not going to take advantage of that fact to violate an obligation entered into by a Cabinet officer under authority of law.

Here is the contract, and the question is suggested to me by the clerk of the committee now as to whether or not the bank would not have the right to sue the Government under this contract.

Mr. GOLDFOGLE rose.

The CHAIRMAN. Does the gentleman yield?

Mr. HEMENWAY. No; I decline to yield. The Committee on Appropriations does not pass upon the merits of these contracts. If the committee undertook to do that, it would have to be in session all the year round from 6 o'clock in the morning until 12 o'clock at night, and then could not possibly go into the merits of the different contracts entered into. Here is a contract made to pay so much rent. Complying with that contract, we appropriate the money.

Now, Congress can vote it in or vote it out. If they vote it out that violates the contract made. If they vote it in we continue to pay the rent. If I had the contract to make now, I want to say that candidly, if that contract were presented to me I would not have entered into it, but the Government has entered into it; we agreed to pay this money in the way of rent—we have to pay it now or later on, and my judgment is that we had better pay it now without costs than to pay it later with costs added.

Mr. WILLIAMS of Mississippi. What was the amount of money paid the City Bank for this building?

Mr. HEMENWAY. I forget, as it has been so long back.

Mr. BAKER. Over \$3,000,000.

Mr. SULZER. Three million two hundred thousand dollars; and this property, from the estimate of competent real estate dealers, is worth over \$6,000,000.

Mr. WILLIAMS of Mississippi. What did it sell for?

Mr. SULZER. Three million two hundred thousand dollars.

The CHAIRMAN. Does the gentleman from Indiana yield?

Mr. HEMENWAY. I yield. We pay 4 per cent on the purchase price for rent.



Mr. WILLIAMS of Mississippi. We pay 4 per cent on the purchase price for rent?

Mr. HEMENWAY. Yes.

Mr. WILLIAMS of Mississippi. Then I want to ask the gentleman two other questions so as to get the facts before the House. Has a deed ever passed from the United States Government to the City National Bank?

Mr. HEMENWAY. It has not. I say there has not, but I simply take the statement of the gentleman from New York [Mr. SULZER].

Mr. WILLIAMS of Mississippi. It had not a year ago.

Mr. HEMENWAY. I take the statement of the gentleman from New York, but my understanding is that there has not.

Mr. WILLIAMS of Mississippi. There is no deed, then, from the United States Government to the City National Bank?

Mr. HEMENWAY. To the City National Bank; no.

Mr. WILLIAMS of Mississippi. Now, that property is paying no taxes either to the State, city, or county of New York?

Mr. HEMENWAY. I understand that to be the condition.

Mr. WILLIAMS of Mississippi. I just wanted to get those facts before the House. I thank the gentleman for answering me.

Mr. HEMENWAY. There is a provision in the contract that until the full purchase price was paid that a deed should not be made. The full purchase price has not yet been paid. That is the condition of it. Now I yield to the gentleman from New York [Mr. SHOBER].

Mr. SHOBER. Now, I would like to ask the gentleman from Indiana if a Government official should have committed a crime or a piece of immorality, does that bind the Government for all time to come to do wrong simply because he has done it?

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HEMENWAY. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that his time may be extended for five minutes. Is there objection? [After a pause.] None is heard.

Mr. HEMENWAY. The gentleman is not stating this case. The Secretary of the Treasury has not committed any crime. He is charged with the executing of a contract. I declined to yield to the gentleman from New York [Mr. SULZER] a moment ago, and I now yield to ask him to ask a question.

Mr. SULZER. The gentleman from Indiana says that Lyman J. Gage, formerly Secretary of the Treasury, has not committed any crime, but as soon as we got an honest President in the White House he had to get out of the Cabinet.

Mr. HEMENWAY. The gentleman may attack Secretary Gage. His record stands as his defense. I am simply stating the facts in respect to this provision. We contracted to pay this rent of 4 per cent on the purchase price. Complying with that contract, the Committee on Appropriations appropriates money to carry it out. Now, as I say, if we do not appropriate the money, if we do not pay it now we will have to pay it later on with costs added.

Mr. FINLEY. Will the gentleman permit a question?

Mr. HEMENWAY. Yes, sir.

Mr. FINLEY. How long will this contract continue?

Mr. HEMENWAY. This contract continues, I suppose, until the new custom-house is completed in New York. I am right on that, am I not?

Mr. FINLEY. This is a part of the contract?

Mr. HEMENWAY. That is a part of the contract.

Mr. SULZER. Let me say to the gentleman from Indiana [Mr. HEMENWAY] that as the work is now progressing on the new custom-house and as it has progressed for the past four or five years, it will take ten years more at least to build and finish it. By that time the bank will have received for rent from the Government more money than the bank actually agreed to pay for the old custom-house property.

Mr. HEMENWAY. I am not familiar with the progress of the building over there, but we are to pay 4 per cent of the purchase price until the new custom-house is completed. Mr. Chairman, I ask for a vote.

Mr. WILLIAMS of Mississippi. Before the vote is taken I should like to say a few words.

The CHAIRMAN. Does the gentleman from Indiana [Mr. HEMENWAY] yield to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. HEMENWAY. I do.

Mr. WILLIAMS of Mississippi. I want about five minutes on this question.

Mr. HEMENWAY. The gentleman from Mississippi [Mr. WILLIAMS] had been heard upon the question, and I desired to close.

The CHAIRMAN. The gentleman from Indiana [Mr. HEMENWAY] has the floor.

Mr. HEMENWAY. If the gentleman from Mississippi [Mr. WILLIAMS] desires to be heard further, I will yield.

Mr. WILLIAMS of Mississippi. I do not care how the time is granted, although personally it is much more grateful to me if it comes as a concession from the gentleman from Indiana [Mr. HEMENWAY] than in my own right.

Now, Mr. Chairman, I want a plain statement of the facts here to go upon the record and to go upon the mental retina of each Member of this House. I am not in the habit of lightly charging political opponents with moral or financial wrongs. If I had wanted to be a thing of that sort, I could have been a sewer for all sorts of charges and scandals.

I am not in the habit of lightly and recklessly attacking things that ought not to be attacked, nor of imputing motives of wrongdoing to people, nor am I now going to impute any motive of any sort. But I am going to say and try to prove by a plain recital of the facts that a thing worse in itself than this transaction, no matter how good the motive behind it may have been, has never occurred.

In the first place, before I make this statement, I want to say that the gentleman from Indiana [Mr. HEMENWAY] is entirely wrong in his assumption that any executive officer of this Government can make any contract whereby Congress shall be compelled to appropriate money. It has been held that the treaty-making power, even, can not do that. Much less can it be held that a mere executive officer of even a preceding Congress can commit the appropriation-making power of this Government to a wrong by wrongful act of his own, or by a rightful one, either, for that matter.

This matter may have been perfectly all right in the beginning. Now, what are the plain facts? The United States Government concludes to build a new custom-house in the city of New York. It sells to the City Bank the old custom-house site for the sum of \$3,200,000. It makes no title to the land. None has even yet passed. It stands upon the records of the State of New York as the property of the United States Government. As a consequence the State of New York, the city of New York, the borough, and all the other political units that have the taxing power there are being defrauded of the taxes due them every year, and as a fact in this case the bank does not pay even water rates. So much for that part of the admitted facts.

What becomes of the purchase money, namely, the \$3,200,000? It is not paid by the bank into the United States Treasury. To whom is it paid? It is paid over its own counters to itself, and it lies there under the guise of being a national "deposit," drawing no interest to the United States Government, while this Government pays annually for the property, the title to which is in itself, which has never had a dollar of money paid into the Federal Treasury for it, the enormous rental of \$130,000, which is 4 per cent upon the purchase price of the property.

I believe, Mr. Chairman, that much harm is done in American public and political life by lightly charging officeholders, whether they be executive or legislative, with wrongs and crimes of all sorts. My observation is that the men who compose the legislative and executive force of the Federal Government of any Administration are a very good sample of the people from whose midst they come. [Applause.] If they are not somewhat superior to the average, they are at least up to the average. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. WILLIAMS] has expired.

Mr. WILLIAMS of Mississippi. I move to strike out the last word.

Mr. HEMENWAY. Mr. Chairman, I ask unanimous consent that the gentleman from Mississippi [Mr. WILLIAMS] have five minutes more.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I will not need five minutes.

I think much harm is done by lightly spoken scandal, and I think it is a sad commentary upon free institutions, in a free and progressive country, that the very word "politician" has sunk to be a synonym of contempt.

It ought not to be so. There is not a nobler profession in the world than the profession of politics. [Applause.] No man's private business can be equal in importance or in nobility of purpose to the public business. [Renewed applause.] When a man dedicates himself heart and soul to the public business—the public thing, as the Latin calls it—divorcing from him his own private interests, not self-seeking, but seeking the public weal and general welfare, then he is, next to the man who is minister of the Gospel and sincerely believes in what he preaches, a member of the noblest profession on the surface of this earth. I, for one, always resent light attacks upon public

officers. I am making no attack on the original transaction, if the money had been paid.

Now, Mr. Chairman, if the Government had got the money, if the deed had been exchanged, if New York and the borough had gotten their taxes, and all the balance of it, it would have been all right, and I might have thought it was merely a bad bargain, as the gentleman from Indiana says. But it is worse than that, and it is what has taken place since and goes on now in spite of the fact that it has been ventilated upon this floor, perhaps not effectively and sufficiently—the fact that its ventilation does not prevent its continuance.

I am not speaking as a Democrat, I am not speaking as a partisan; I am speaking as a man who wants, as far as possible, to divorce public affairs in the mind of the citizen from suspicion and fact of corruption and wrongdoing, and you can not do it as long as you allow things like this to continue from one appropriation bill to another. [Loud applause on the Democratic side.]

Mr. HEMENWAY. The gentleman from Mississippi made the statement that "the gentleman from Indiana" was mistaken when he said that the Secretary had authority to enter into this contract. Now—

Mr. WILLIAMS of Mississippi. I did not state that. Perhaps the gentleman did not hear my language. I said no Secretary, no executive officer, has any right to enter into a contract which shall compel Congress thereafter to appropriate money.

Mr. HEMENWAY. I want to call attention to the fact that Congress itself—

Mr. WILLIAMS of Mississippi. Congress could not if it wanted to. If the gentleman will excuse me a moment, then I will sit down. Congress can not, if it wanted to, confer a single constitutional power upon an executive officer which the Constitution does not confer. Congress can not give power to anybody except itself to appropriate money under any condition.

Mr. HEMENWAY. Does the gentleman insist that this Congress can not authorize a contract for rivers and harbors, can not authorize a contract for the rental of a building, or for the sale of a building?

Mr. WILLIAMS of Mississippi. To bind future Congresses and take money out of the Treasury? No.

Mr. HEMENWAY. Does the gentleman then say that Congress has the right, the moral right, of one Congress succeeding another, to go back upon contracts authorized by a preceding Congress?

Mr. WILLIAMS of Mississippi. Yes; if in its opinion the contract authorized by the preceding Congress was wrong and immoral in its character or constituted any sort of unjust favoritism.

Mr. HEMENWAY. Then I ask the gentleman if such a contract were made and entered into under the authority of Congress, can the party making the contract sue and recover judgment under his contract?

Mr. WILLIAMS of Mississippi. Sue the United States and recover judgment?

Mr. HEMENWAY. Yes, sir.

Mr. WILLIAMS of Mississippi. As a legal proposition, no.

Mr. HEMENWAY. The gentleman is mistaken. I want to call the attention of the gentleman to the further fact that this very contract—

Mr. WILLIAMS of Mississippi. Sue to recover money that Congress has never appropriated?

Mr. HEMENWAY. That Congress has authorized a contract for.

Mr. WILLIAMS of Mississippi. Why, I understand that if this Congress should pass this bill with this particular item it could be sued for. If not, no.

Mr. HEMENWAY. Yes; and if any other Congress passed it.

Mr. WILLIAMS of Mississippi. But if this Congress does not pass it, it can not be sued for.

Mr. HEMENWAY. Or if any other Congress passes a bill authorizing a contract, and the contract is entered into under the law, then the party making the contract with the Government can sue and recover; but it is entered into, and entered into under authority granted, not by a Republican Congress, not, as the gentleman says, that somebody on the Republican side might have campaign contributions, but under authority granted by a Democratic Congress.

And here is the authority, granted under a Democratic Administration. This act further provides—

Mr. WILLIAMS of Mississippi. Before the gentleman reads that, I hope the gentleman will not think I would consider this thing any the less wrong if it had been authorized under a Democratic Administration than under a Republican Administration.

Mr. HEMENWAY. No; this is in reply to the gentleman from New York.

Mr. WILLIAMS of Mississippi. I thought the gentleman was replying to me.

Mr. HEMENWAY. This act further provides for the erection and construction of a public building for the purpose of a custom-house upon the site acquired, at a limit of cost of \$3,000,000. Provision was also made—

Mr. BARTLETT. Will the gentleman read the date of that act?

Mr. HEMENWAY. The act was approved September 14, 1888. Provision was made—

Mr. SULZER. When was that act passed?

Mr. HEMENWAY. If the gentleman will allow me, provision was also made for the sale to the highest bidder, for not less than \$3,000,000, of the old custom-house property, and it was directed that the proceeds of sale should be deposited as miscellaneous receipts, and in case of such sale the premises were to be leased from the purchaser thereof at a rental not to exceed 4 per cent per annum of the purchase price, until the new custom-house is completed.

Mr. SULZER. What was that date?

Mr. BARTLETT. 1891.

Mr. SULZER. Mr. Chairman, I would like to get from the gentleman from Indiana a definite statement of the date.

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from New York?

Mr. HEMENWAY. I do.

Mr. SULZER. What date was this?

Mr. HEMENWAY. The original act was passed September 14, 1888.

Mr. SULZER. I understood the gentleman to say 1891.

Mr. HEMENWAY. There are several dates here. There was a provision that was changed. In reading rapidly I did not give the right date at first.

Mr. SULZER. I understood the gentleman to read March 3, 1893.

Mr. HEMENWAY. There are several dates in here, and I got the wrong date. The correct date is September 14, 1888. That is the date of the original act.

Mr. SULZER. Now, if the gentleman will be good enough to yield to me, I would like to ask him this question: If this provision, appropriating this money to the City National Bank for rental of the old custom-house is stricken out, do you suppose that the City National Bank will sue the Government?

Mr. HEMENWAY. I have no doubt they would.

Mr. SULZER. Don't you think the City National Bank would file in the register's office of the city of New York the deed from the Government to it?

Mr. HEMENWAY. Well, I have no doubt they would sue the Government to collect this money. Now, here is the authority. It is plain. It fixes the terms. I want to read it again, so that there will be no doubt about it:

And directed that the proceeds of the sale should be deposited as miscellaneous receipts, and in case of such sale the premises were to be leased from the purchaser thereof at a rental not to exceed 4 per cent per annum of the purchase price, until the new custom-house is completed.

Now, I understand that under that direction and authority Secretary Gage leased this property, agreeing to pay a rental of 4 per cent, as directed by this legislation.

Mr. WILLIAMS of Mississippi. That act did authorize something, but it did not authorize this transaction. The proceeds were to be turned over amongst the miscellaneous receipts of the Treasury. Instead of that the money has been left there on deposit in that bank, supposed to have paid it without interest.

Mr. HEMENWAY. In that respect the gentleman is right, and he is also wrong.

Mr. WILLIAMS of Mississippi. And that is not all. The gentleman can explain—

Mr. HEMENWAY. I am not explaining. I am simply answering the gentleman's question.

Mr. WILLIAMS of Mississippi. The gentleman can answer both.

Mr. HEMENWAY. I will answer that that bank, the City National Bank, has had on deposit Government funds for years and years.

Mr. BARTLETT. Fifteen million dollars.

Mr. HEMENWAY. Under both Democratic and Republican Administrations. Whether this identical money has been on deposit there I do not suppose the gentleman knows, and I know I do not know.

Mr. WILLIAMS of Mississippi. Oh, yes, I do; because if it had been turned over to the Treasury at any time the accounts would show that it had been turned over to the Treasury and was now there.



Mr. HEMENWAY. Oh, but the gentleman knows that money paid to the Government in New York is never brought down here and turned over to the Treasury, but it is paid over there, either into the subtreasury or into one of the banks for the subtreasury.

Mr. WILLIAMS of Mississippi. As I started to say a moment ago, the act he read is something, but not this thing. I have shown one thing it did not authorize, and that was that it authorized the sale, and this is a hold-up sale, that authorized the granting of a deed. Why should this great Government help that city bank defraud the city of New York and borough of their taxes by holding back the deed?

Mr. HEMENWAY. That question might well be asked of Congress which granted the authority in 1888.

Mr. HILL of Connecticut. It does not defraud the city of New York of one single cent.

Mr. WILLIAMS of Mississippi. I did not hear the gentleman from Connecticut.

The CHAIRMAN. The Clerk will again read the amendment.

The Clerk read as follows:

On page 10 strike out lines 6 to 9, both inclusive.

The question was taken; and on a division (demanded by Mr. SULZER) there were—ayes 74, noes 74.

Mr. SULZER. I ask for tellers, Mr. Chairman.

The question was taken, and tellers were ordered. The Chairman appointed as tellers the gentleman from Indiana, Mr. HEMENWAY, and the gentleman from New York, Mr. SULZER.

The committee again divided; and the tellers reported that there were—ayes 90, noes 77.

So the amendment was agreed to.

The Clerk read as follows:

For pay of crews of surfmen employed at the life-saving and lifeboat stations, including the old Chicago station and at the building to be erected on the grounds of the Lewis and Clark Centennial Exposition at Portland, Oreg., under authority of section 4 of the act of Congress approved April 13, 1904, for an exhibit of the United States Life-Saving Service, at the uniform rate of \$65 per month each during the period of actual employment, and \$3 per day for each occasion of service at other times; compensation of volunteers at life-saving and lifeboat stations for actual and deserving service rendered upon any occasion of disaster or in any effort to save persons from drowning, at such rate, not to exceed \$10 for each volunteer, as the Secretary of the Treasury may determine; pay of volunteer crews for drill and exercise; fuel for stations and houses of refuge; repairs and outfits for same; rebuilding and improvement of same, including use of additional land where necessary; supplies and provisions for houses of refuge and for shipwrecked persons succored at stations; traveling expenses of officers under orders from the Treasury Department; commutation of quarters and purchase of fuel in kind for officers of the Revenue-Cutter Service detailed for duty in the Life-Saving Service; for carrying out the provisions of sections 7 and 8 of the act approved May 4, 1882; for draft animals and their maintenance; for telephone lines and care of same; and contingent expenses, including freight, storage, rent, repairs to apparatus, labor, medals, stationery, newspapers for statistical purposes, advertising, and all other necessary expenses not included under any other head of life-saving stations on the coasts of the United States, \$1,563,215.

Mr. SCUDDER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 19, line 17, strike out the word "sixty-five" and insert the word "eighty."

Mr. HEMENWAY. Mr. Chairman, I make a point of order against that amendment that it changes existing law.

Mr. SCUDDER. Mr. Chairman, I hope the gentleman from Indiana [Mr. HEMENWAY] will reserve the point of order and permit me to address the House on the merits of my amendment to this bill, which, if adopted by the House, will increase the pay of the surfmen employed in the United States Life-Saving Service from \$65 per month, the amount they now receive while on duty, to \$80 per month. I offer the amendment as an act of partial justice. These men earn all this amendment will give them; they deserve it all, and they should have it all.

The gentleman from Indiana [Mr. HEMENWAY] has raised the point of order against the amendment that it changes existing laws. In all fairness to the House I am constrained to admit that if the point of order is insisted upon the amendment will have to be stricken out; but I hope the gentleman will consider the amendment on its merits and permit it to stand or to fall according as it may possess or fail to possess the elements of justice. I hope the gentleman will withdraw the point of order. The rule of the House which forbids the insertion in an appropriation bill of any provision which changes existing law is a wise safeguard against hasty legislation and would afford little excuse for complaints against its strict enforcement were it possible to get the several committees of the House down to the hard business of considering deliberately bills referred to them providing remedial legislation.

Over a year ago I introduced into this House and had referred to the Committee on Interstate and Foreign Commerce a bill increasing the pay of surfmen employed in the Life-Saving Service. That bill has slumbered ever since in the pigeonholes of the committee. It has not been possible to obtain action upon it by the committee. I do not wish to imply that the committee alone is at fault. I know it has had referred to it bills of great import, the consideration of which has absorbed its attention.

I know that the Interstate and Foreign Commerce Committee has been one of the most faithful to duty and hardest worked committees of this Congress, yet, Mr. Chairman, the fact remains, and it is a sad fact at best, that this committee has taken no action on the proposition to increase the pay of the men employed in the Life-Saving Service of the country; and now when the only other opportunity of accomplishing something for them presents itself, effort in their behalf is foredoomed to failure if a single Member of this body interposes an objection.

In the face of such an objection the merits of the amendment have no weight; the necessities of the case are not an element for consideration; the welfare of the Life-Saving Service counts as naught; the needs of these men are of no concern.

The amendment changes existing law; therefore can not be considered in the face of an objection. The committee to which this subject was referred will not consider it and act; the House binds itself down to rules which prevent it from considering the needs of this service and acting upon them excepting the committee first act, and thus it happens that Congresses come and Congresses go, and neglect of the Life-Saving Service goes on forever.

I appreciate the courtesy of this House which permits me to present the cause of these surfmen, even in the face of the point of order that has been made against my amendment, and which, if insisted upon, will result in this Congress adjourning without enacting any laws doing justice or even partial justice to the most honorable, the most benign, and yet the most heroic service under the flag. Mr. Chairman, within the past few weeks this House has passed the army appropriation bill, carrying with it an expenditure of \$69,461,334.89; the naval appropriation bill, carrying with it an expenditure of \$100,070,079.94, and the fortification appropriation bill, carrying with it an expenditure of \$6,747,893.

To-day we are called upon to make provision for the support of the Life-Saving Service of the country for the ensuing fiscal year, the appropriation for which amounts to \$1,563,215. If my amendment is permitted to pass, this amount will have to be increased by \$260,100 to provide for the increase in the pay of surfmen, which it contemplates. I also have an amendment increasing the compensation of keepers to twelve hundred dollars per year, entailing an additional allowance of \$81,900, to be added to this appropriation bill, and still the total will fall well below the \$2,000,000 mark, and this, Mr. Chairman, is the service dedicated to the preservation of life.

Mr. Chairman, we have appropriated over \$176,000,000 to perfect the machinery designed, prepared, and ready for the destruction of life, and to-day we appropriate but a trifle over one million and a half dollars to promote the God-made injunction to save and to preserve life! I bespeak for the men of the Life-Saving Service equal recognition with the men of the military service. I ask for them no favor, no privilege, no indulgence, but simply justice, fair treatment, fair play. [Applause.]

I have not ready at hand the data showing the history of the remuneration accorded the surfmen of the Life-Saving Service. If my memory serves me aright they received many years ago \$65 per month while on duty. A wave of economy swept the Congress and this was reduced to \$60 per month. I introduced into the Fifty-sixth Congress a bill increasing this amount, and upon an amendment to this bill an increase of \$5 per month was granted. At that time the present Speaker of this House was the chairman of the Appropriations Committee; the amendment then offered was subject to the point of order now made against this amendment, but, Mr. Chairman, the injustice then being done to the men of the Life-Saving Service was recognized by Mr. CANNON, and he permitted the amendment then offered to be considered by the House on its merits.

It passed the House, as will every other provision doing justice to this Service if permitted to come before it. I hope the distinguished gentleman who now presides over the great Appropriations Committee may see that it lies within the scope of his duty to emulate the example set by his distinguished predecessor and that he will permit the small measure of justice to be meted out to these men which this amendment will accord them. Four years ago when the pay of surfmen was increased \$5 per month, the argument in favor of that action was based upon the increase in the cost of living. Mr. Chairman, that in-

crease has continued; \$80 to-day will not buy what \$65 would buy four years ago, yet we demand of these men not less service for the money they receive, but more service.

The value of money is measured by its purchasing power; if the dollar to-day will buy no more than 75 cents bought four years ago, provided the standard of our living is to remain the same, we must be paid more than we were four years ago. This fact is recognized in the business world; the present standard of prices is recognized and is met by increases in wages in nearly all callings and employments. The Government of the United States can not be the exception to this rule; if there be virtue in maintaining the efficiency of the Life-Saving Service, and no one will contend there is not, the men of that Service should be paid fair, honest wages—wages that will attract to the Service experts in the line of boatmanship, and will keep them there once they have entered it.

Mr. Chairman, I have observed these past years that, year by year, the exactions of this Service are made more and more arduous for the men in it in the commendable efforts of those at its head to render it equal to every emergency, but the pay of the men remains the same. More is expected, demanded, exacted of the men, and yet they are asked to be content with less, for it amounts to this in view of the decline in the purchasing power of the money in which they are paid.

Mr. Chairman, the question of increased compensation to the surfmen of the Life-Saving Service is a serious matter to these men, but it is a far more serious matter to the country. This Service is made up of the picked men of the coast. They are chosen by reason of their skill, their courage, for their level heads. They are the flower of the hardy race of beachmen who inhabit our shores. It is said that during the many years this Service has brought honor to the country not a man in it has shown the white feather, while the history of the Service is rich in the records of gallant deeds, of acts of valor, of sacrifice, and of self-abnegation.

I mention this, Mr. Chairman, not because the facts are not generally known, but for the purpose of bringing them more potently to mind now, for the benefit of those who may not be familiar with the Life-Saving Service, and because the fact should be made patent to all men that this is not a service the duties of which can be met and discharged by every man of bodily strength, but can be met and discharged only by men fitted by temperament, courage, and hard-earned experience for its exigencies.

Mr. Chairman, I am not urging this amendment as a matter of favor to these men, but as a matter of their right. I am not urging it only because I admire the men of this Service, but because I recognize that they are underpaid, grossly underpaid, by the Government, to the honor of which they contribute in so generous a measure. I do not believe the servants of the Government in any of its branches should go underpaid, but particularly am I impressed with the lack of wisdom displayed by the Congress in permitting the men of this Service, of whom so much is expected, and who always measure to the country's expectation of them, to toil on at the risk of their health and often of their lives and with the ever-present knowledge of the want and privation which must overtake their wives and their children if ever-threatening disaster overtake them in their service to the country and to humanity.

With the concurrence of the Secretary of the Treasury, Hon. Leslie M. Shaw, the General Superintendent of the Life-Saving Service, in a letter transmitted to the chairman of the Committee on Interstate and Foreign Commerce, early in 1902 had this to say upon the conditions then prevailing and still existing in the Life-Saving Service, only in a more aggravated form.

Mr. Kimball said:

At the present time this is a matter of great importance. The cost of living has so largely increased in recent years, as well as the compensation for service in almost every walk of life, that the Service is losing its best men in numbers, and, being shut out from competition on account of the meager pay of surfmen, fixed by law, it is obliged, in order to fill the vacancies, to accept inferior and unqualified men (since few others offer) or supply them temporarily with any rough material that can be picked up. Many stations are without full crews of regularly enlisted surfmen, and in some there is not a single enlisted man upon the rolls. In one district only four out of sixteen stations are manned with full crews of regulars and several of the other districts are badly crippled in the same way. The "eligible lists" from which the regular crews have to be chosen are altogether insufficient to supply the demand and are largely composed of candidates who have barely been able to pass the prescribed minimum standard as to practical experience, age, and physical condition—a standard in reality too low for a service so important.

It is unnecessary to point out the demoralizing effect of so great a dependence upon temporary employees, consisting largely of untrained and unqualified men. The condition is certainly a deplorable one, and if permitted to continue much longer must inevitably result in disastrous consequences. If such results are to be averted and the high standard of efficiency which has hitherto characterized the Service is to be restored and maintained, one of two things must be done at

once—either the wages of the surfmen must be increased or some such provision for retirement must be enacted.

Mr. Chairman, I urge the adoption of this amendment because I believe in a proper incentive to the discharge of duty, because I believe it fitting to offer all employed, particularly those whose calling has led them to the paths of peril, a compensation and a wage which will measure to the responsibility of their work.

Moreover, the compensation named, the \$65 per month which these surfmen receive while on duty, is all that they receive. There are no allowances in this Service, such as rations, clothing, etc. The men pay for their own uniforms, storm suits, and all other clothing, and they provide their own living, which, in the case of those who are married (being more than 80 per cent of the men), means the support of their own homes, and contribution to the support of another household at the station in addition, a severe tax, and one precluding the putting by of a dollar against a rainy day, in view of the present unjustifiable cost of living.

The pay of these men should be raised proportionately with the rise in the cost of living.

Mr. Chairman, the high cost of living and the heavy burden that it puts upon the men in this Service, as well as upon all the toilers of the country, have brought the people of the country face to face with a condition fast becoming intolerable.

The cause of this condition is not yet known to the masses of the people. Few realize that every time they make purchases at the store they pay exorbitant tariff taxes; that if they buy rice, or linen, or oilcloth, or cutlery, or silk goods about one-third of all they pay goes for tariff taxes; that if they buy sugar, or woolen goods, or lead, or window glass about one-third of all they pay goes for the tariff tax. Nearly every article used in the homes of the country is dearer because of these excessive tariff taxes.

Mr. Chairman, the houses in which our people live cost more to build because of the extreme duties on lumber, nails, paint, and glass. Those who do not build and have no houses to repair have to pay higher rent because of the increased cost of building under the tariff laws. Since the passage of the Dingley law in 1897 the cost of constructing buildings has gone up nearly 50 per cent.

Mr. Chairman, the people of the country can not escape from these tariff taxes while we remain inside the wall erected around the country by the Dingley tariff. The misery of the present condition lies in the unfortunate fact that the cause of their burdens is hidden from the people, because under our system of indirect tariff taxation the people do not see these tariff taxes when they pay them. If they could see them, the party responsible for them could not remain in power over a single election.

Mr. Chairman, if wage-earners will but study this question, and when they have mastered it if they will make use of the ballot to remedy existing evils instead of having recourse to strikes, the trusts will take a back seat, prices and the cost of living will decline, and happiness and prosperity will be shared and enjoyed by all our people. Mr. Chairman, I did not rise to discuss the tariff. I use it only as an illustration. To me it seems most illogical that the majority in this Congress should refuse to raise the wages of the men in the service of the country on the coast in the good work of saving life, and at the same time should refuse to modify the tariff laws of the country, which, if revised in the interest of the masses along conservative lines, would lessen the burdens of the toilers of the country by cheapening the cost of living. I hope the point of order made against my amendment will be withdrawn and the House permitted to vote on my motion to increase the wages of our surfmen on the merits of the proposition. I regret the gentleman from Indiana [Mr. HEMENWAY] feels constrained to insist upon his point of order. I yield to the inevitable, still encouraged in the belief that the day is not distant when justice will be accorded the men of the Life-Saving Service. [Applause.]

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For establishing new life-saving stations and lifeboat stations on the sea and lake coasts of the United States, authorized by law, to be available until expended, \$30,000.

Mr. SCUDDER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 20, at the end of line 21, insert:

"For pensions of superintendents of life-saving districts, of keepers of life-saving stations, and of members of life-saving crews of the United States Life-Saving Service, who shall have served thirty years in the said service, or who shall have become incapacitated or hereafter may become incapacitated for active service therein by reason of disease or injury incurred while in the actual performance of duty in said service, and for the pensions of the widow; and if there be no



widow, or in case of her death or remarriage, of the child or children under 16 years of age of any such superintendent, keeper, and member of a life-saving crew, of the said Life-Saving Service of the United States who has died or who hereafter may die from any injury received or disease contracted as aforesaid, the sum of \$50,000, or so much thereof as may be necessary. The said pensions to be paid quarterly and at the rate of one-half of the amount that any such superintendent, keeper, or member of a life-saving crew would have been entitled to receive as pay had he continued to live, or had he remained in said Life-Saving Service."

Mr. HEMENWAY. Mr. Chairman, it is evident that this amendment is subject to a point of order. I make the point of order.

Mr. SCUDDER. Mr. Chairman, I hope the gentleman from Indiana [Mr. HEMENWAY] will reserve his point of order to enable me to address the House briefly upon the merits of the amendment. I appreciate the fact that the point of order successfully can be pressed against the amendment, and that the Chairman must sustain the point if it is persisted in; I also appreciate the obligation under which I am placed by being permitted to address the House on the merits of the amendment, in view of the fact that it is not in order. It will be my endeavor not unduly to abuse the privilege accorded me.

Mr. Chairman, but a few minutes ago an amendment offered by me, which, had it been permitted to come before the House for a vote, would have been passed, was ruled out on the point of order that it changed the existing law. The purpose of that amendment was to increase the pay of the surfmen of the Life-Saving Service from sixty-five to eighty dollars per month to meet the present increase in the cost of living in this country. I also was prepared to offer an amendment increasing the pay of keepers in that Service to \$100 per month, and should have done so had the chairman of the Appropriations Committee permitted consideration of the first amendment on its merits.

I did not present the amendment increasing the pay of keepers, not wishing to abuse the good nature of the House by my persistence in offering amendments when the disposition is manifest to prevent their consideration and adoption. Mr. Chairman, I hope that by the time the next Congress convenes the Treasury deficiency problem now confronting the country will have found means of solution through the adoption of a plan for conservative tariff revision and reduction, not alone for the purpose of reducing the present excessive cost of living and the high prices of life's necessities, but also for the further purpose of increasing our revenues, to the end that we may not have to seek shamefacedly so poor an excuse for our failure to do justice—to pay a reasonable wage to the country's heroic band of life-savers, that the expenditures of the Government are greater than its revenues, and therefore we must economize, knowing right well, as we do, that this would not be true were the Congress to reduce the tariff duties on the necessities of life controlled or monopolized by trusts, and as to all such were the Congress to subject these monopolies to reasonable foreign competition.

Mr. Chairman, to me it seems surpassing strange that the Congress should seek to economize at the expense of those who are permitted no economy of sacrifice or of duty under the regulations of the service in which they are engaged.

Theirs not to reason why,  
Theirs not to make reply,  
Theirs but to do and die.

Sometimes it occurs to me that the Congress burdens itself too much with details; that its machinery is too cumbersome.

Mr. Chairman, ways and means must be devised whereby more attention can be given by the Congress to the duty of perfecting and extending, discriminately, the scope of existing law and enacting new legislation to meet new conditions. Under present practices the time of our great standing committees largely is taken up framing appropriation bills. So arduous has this work grown that it has become very difficult to induce the leading committees to give a hearing on bills of the nature referred to. It follows that changes in existing law, even where such changes are needed sorely, are difficult to bring about, unless some event supervenes to focus public attention on the abuse, the correction of which is sought, or on the neglect or the failure of Congress to act, and the force of public opinion thereby aroused compels action.

I am not unmindful of the safeguards against hasty legislation which the rule forbidding the placing of riders on appropriation bills erects across the path of the free-lance legislator; but, Mr. Chairman, when the committees to which proposed new laws or amendments to existing laws are referred fail to act thereon, there remains no alternative to the introducer of bills having such effect other than to call the attention of the House thereto by offering amendments as I now am doing, even though

they are subject to the point of order, and this in the hope that the discussion engendered may in time result in action. Mr. Chairman, this amendment, if enacted into law, will result in the granting of pensions to the officers and men of the Life-Saving Service of the United States. The provisions of the amendment are clear and readily understood. The plan thereby suggested may not be the best, but it would possess the virtue of accomplishing something along the right lines. It pensions on half pay superintendents, keepers, and surfmen of the Life-Saving Service after thirty years of service. It also pensions them on half pay if incapacitated in the actual performance of duty, and in the case of death it pensions the widow, and if there is no widow, or she dies or remarries, it pensions the children under 16. This amendment changes existing laws, it is subject to the point of order, and will not be permitted to reach a vote. This I realize, but its offering at this time may serve the purpose of bringing again in some degree to the attention of the people of the country the lack of appreciation on the part of the Congress of our great Life-Saving Service, the men in which patiently toil on year after year, unprovided for and forgotten, performing the arduous, perilous, self and life sacrificing duties of their calling, ever faithful though often discouraged at the singular neglect of the Congress.

Mr. Chairman, I have the privilege of endeavoring to represent a district containing over 10 per cent of the life-saving stations of the country. Necessarily I have become somewhat acquainted with the work of the Life-Saving Service, and appreciate its value to humanity and to commerce. I know, as a fact, that the Service is in a seriously crippled condition, due to the withdrawal of many competent surfmen and the necessity the Department has been under, by reason of its inability under present conditions to replace them, of filling the places of those quitting the Service with untrained and undisciplined men. The number of men constituting a crew generally corresponds to the number of oars to be pulled in the principal boat of the station. A single poor oarsman not only impedes the progress of the boat, but he jeopardizes the safety of all in it, and may defeat all efforts at rescue. The reports of the General Superintendent of the Service disclose the fact that the crews of many stations are being depleted by the gradual separation from the Service of its best men, and only men inferior to these, and even then in insufficient numbers, are obtainable for recruiting.

This state of affairs, if continued, must soon result in disaster and shame. This condition is liable to grow worse rather than better. There are many men in this Service who can earn out of it much more than they are earning in it; whose services to the country through the skill they possess are invaluable; whose places can not be filled if they decide to quit. These men are holding on in the hope that some provision such as that contemplated by this amendment will become law. We can not afford to lose them by postponing action.

It is only a question of time when these men, grown discouraged, will leave the Service, to its great injury. It can not be that the Congress will permit this to happen. It can not be that this splendid service, which has reflected credit and brought honor to the nation, will be permitted to sink into inefficiency and disrepute. Yet, Mr. Chairman, this is the condition that is confronting us, this is what inevitably must come to pass unless the Congress apply itself to finding the proper remedy.

How can this condition be met and remedied? There are two ways. The situation is ripe for the adoption of both, and both should be invoked in this emergency. We should increase the compensation of the men of the Service sufficiently to hold the men now in the Service, as well as to induce the enlistment to fill vacancies of qualified men, and we should enact a pension and retirement law providing for these men and for their widows and orphans if disaster overtakes our life savers in the discharge of their duty.

In my judgment, the adoption of the retirement principle will bring the greatest benefit to the Service, will promote its efficiency, and guarantee for the future the high standard of the past. It will attract to the Service substantial men; men who would make the discharge of its obligations their life work. It will hold in the Service the grand men now in it. It will encourage good behavior and faithful performance of duty. It will breed enthusiasm and stimulate heroism. Against the retirement proposition it is argued that its adoption—the extension to the Life-Saving Service of the pension principle—will be the beginning of the creation of a civil pension list.

Mr. Chairman, this is false reasoning. There is no branch of the civil service that I know of which can properly urge the extension of the pension principle to the Life-Saving Service as a precedent for the extension of that principle to it. If there is such a branch, or if one develop in the course of time, let its application be considered on its merits when it is made, as it

should be, as I am urging that this matter be considered on its merits, as it ought to be. The life savers' just claim should not be rejected for fear that, if allowed, the fact might be cited in the case of an unjust claim.

Mr. Chairman, the Life-Saving Service has all the requisites which have been said to form the basis of pensions and retirement allowed to the Army and to the Navy. This fact has been very forcibly pointed out by Mr. W. Livingstone, the president of the Lake Carriers' Association.

Borrowing that gentleman's language, permit me to say that the men in the Life-Saving Service are enlisted, like men in the Army and Navy, after a rigid physical examination. True, the specific term of their enlistment is one year instead of three and four, but as a life-saver is entitled to reenlistment at the end of each year if worthy and physically qualified, the result is the same, except that he is examined as to his physical qualifications annually instead of triennially or quadrennially, as in the Army and Navy. This is to the disadvantage of the man, but to the advantage of the Government, since the physically disqualified are so much more frequently eliminated.

The service of the life-saver is dangerous, like that of the soldier and the sailor. Not so dangerous, perhaps, as that of the soldier in time of war, but much more dangerous in time of peace, which, in the history of this country, has been broken but four times, excepting, of course, the Indian troubles upon the frontier. The dangers of the life-saver, on the other hand, are constant. I believe they fully equal those of the man in the Navy, counting both war and peace.

The daily routine of duty of the soldier and the life-saver are nominally the same, consisting of drill, guard duty, and battle. But the drill and guard or patrol of the life-saver is dangerous, which is not the case with the soldier in time of peace. The boat drill of the surfmen is always hazardous, and has been frequently attended with drowning, while the night patrol of the coast in wintry storm is one of extreme hardship as well as dangerous. Except as I have shown, the main difference between the soldier and the life-saver appears to be that the former shoots to kill, while the latter shoots to save.

The soldier in battle is a mark for the enemy's bullets. Equally true is this of the life savor in his battle with the sea. He, too, is a mark for the enemy, which lurks in every breaker, in every gust of wind, ready to overwhelm him. When the elements are raging, when conditions are at their worst, the life savor fights his battle, and the field is not of his choosing. The hour of shipwreck is the hour of his crowning duty. It calls forth efforts almost superhuman, heroism carried beyond the brink of peril, even to the limit of physical endurance, often unto death.

Mr. Chairman, if, as it is claimed, the policy of the Government has been, and still is, to confine the allowance of pensions to those who have served their country in the Army and Navy, the life savers consistently can not be excluded under that rule from the benefits of the pension system.

The Life-Saving Service was attached to the Navy in the Spanish-American war, and the report of Capt. John R. Bartlett, United States Navy, superintendent of the United States Signal Service during that war, speaks in the most complimentary terms of the efficiency of the life savers and of the importance and necessity of their connection with the Navy in this relation in time of war and preparation for war. Upon this suggestion, by the joint action of the Secretaries of the Treasury and Navy, such a connection and cooperation has been permanently established, and the Life-Saving Service is as much a part of the Navy to-day, and will be found to be quite as important a part in the event of war, as in the past the Revenue-Cutter Service has been found to be, to which Service the Fifty-seventh Congress extended the retirement benefit.

Mr. Chairman, until within a comparatively short period the military branch of the Government was the only service deemed especially dangerous. The element of danger seems to have been the leading and ruling consideration in the matter of legislation granting pensions to individuals on account of injuries or death incurred in the service of the Government. Until the Life-Saving Service was organized, excepting the Revenue-Cutter Service in time of war, no branch of the Government other than the Army and Navy rendered service which was unusually hazardous in its nature, and hence general pension legislation in the past has been confined to the military branches of the Government.

Because the Army and Navy have been the only beneficiaries of the general pension law, it is often argued that patriotism and the desire to encourage it were the inspiration and basis of such legislation. This sentimental view is very attractive, but I lean to the belief that the pension principle is founded also on the plain business proposition that the pension should

be offered in compensation for the loss of earning capacity caused by and incident to the discharge of duty of an extra hazardous nature in a necessary service of the Government. Such is the Life-Saving Service, aside from all sentimental considerations, and when we add the full weight and force of the sentimental argument in favor of this Service, it has to be admitted that the humanity and virtue in its purpose are deserving of encouragement, and that it would be becoming and significantly creditable in a great nation to stimulate the men of the Life-Saving Service even to nobler deeds by granting them pensions and retirement for faithful service when overtaken in its discharge. Such action will receive the approval of the American people.

Mr. Chairman, the Congress can not act too quickly in bringing relief to the Life-Saving Service. We can not afford to permit its splendid organization to deteriorate. We can not afford to lose the splendid men we now have in the Service, and to it we must attract the noblest of their kind for humanity's sake and the honor of the country.

Mr. Chairman, this Service can be differentiated from any other branch of the civil service of the Government of the United States. We can safely do justice to it without opening the door to a pension list in any other civil branch. The Life-Saving Service is now the coast guard of the nation, a part of the naval service of the United States, and as such it should no longer be discriminated against. I hope the next Congress may have more courage and show a higher appreciation of its manifest duty to the men who patrol our lonely shores in darkness and in storm every hour of the night, no matter what the conditions, measuring to each emergency as it arises, adding each day to the luster of our country's name.

The efficiency of the Life-Saving Service is an interesting feature in our American history, an imperishable monument to the nation's philanthropy. It affords an object lesson to the world of the large heartedness of the American people and their thought, even in their bustling, struggling, rushing life, of those whom disaster may overtake. Were we to seek an opportunity for hero worship, where could we turn for more fruitful discoveries than to the accomplishments of the heroes of this Service? Faithfully these men have done their duty to their country; willingly have they offered their lives in sacrifice; never have they been known to shirk responsibility; ever have they rushed to the succor of others, to the rescue of the imperiled, even into the very jaws of death. Their work is performed without hope of promotion or extra remuneration or honors.

We give little thought to the tragedy of these lives. We forget the sickness of heart, the discouragement, the annihilation of all hope that must possess the widow as she turns from the grave that entombs all of her earthly hopes and joys to take up single-handed the duties of her life, her only consolation the knowledge that her husband put up a brave fight and robbed death of its victims, though death overtook him in the discharge of that duty. The admiration of mankind throughout the world is freely expressed for brave deeds, for the acts of brave men who risk their lives to save others, but these men of the Life-Saving Service, by reason of their modest origin and the remoteness from the public gaze of the sphere in which they labor, often have note of their heroic feats recorded only in the official reports of this Service; the knowledge of their martyrdom too often is confined to the small territory where they have lived.

The patrol duty of these men, its very monotony, is a tragedy. As we approach the American coast homeward bound from foreign travels it is not without pride and a sense of safety that we recall how every inch of our vast expanse of shore is being patrolled every hour of the night by these faithful men of the Life-Saving Service to warn us off if error has been made in calculation, to signal to us if we are approaching danger.

In pleasant weather this patrol work is perhaps not unduly arduous, but no one can appreciate what it truly means until he has had experience in walking in loose sand and coarse gravel mile after mile through darkness, when storms of rain, or hail, or snow continue for days and nights; when the beaches are covered with many feet of snow; when the ice is piled high upon the shore, the thermometer is at the zero point, the night is black, and the seas are lashed with tremendous force! Then the courage of the man is put to the test. The patrol must be gone through. He must complete his beat and must return. There is no excuse for failure. Numbers of patrolmen have lost their lives in the performance of this duty. Often these men become incased in ice—become so exhausted that they can not proceed. Often they have been picked up by their comrades at the point of death. All too often have they been picked up dead, and, under the regulations of the Service, are counted out



without consideration—so much chaff, of no further use, to be cast away.

Mr. Chairman, it seems to me if a man loses his life saving the lives of others in his country's service his wife and children should have a liberal pension. If he becomes disabled as an incident of the service, he should be pensioned and provided for.

The Service to-day, as I have already said, is suffering; good men are leaving it; their places are being filled by second-rate men; the Service is deteriorating. We should not wait until some great calamity shocks the country before we apply a remedy which will correct these evils.

I have not gone into thrilling details of rescues by the Life-Saving Service. The reports of the Superintendent are full of such. They make glorious reading, and cause the heart to beat with pride that the country yet makes men of such stamina, grit, and heroism. I do not wish to appeal to the emotions. I seek to present this pension proposition as a business matter, for consideration from the business standpoint. The Life-Saving Service pays for itself many times over. It is now deteriorating, because the remuneration it offers is not sufficient, and the risks incident to the Service are great to those engaged in it, and because when calamity overtakes the men engaged in it neither they nor their widows nor their children are provided for suitably. The Service is now deteriorating, the general superintendent tells us, for the reason that the best surfmen do not enter it.

Mr. Chairman, our expectations of this Service can not be maintained if we permit this condition to continue, and to the lasting shame of the country a day will come when a disaster will shock the nation, and the fact will be brought home to us all that had we properly safeguarded the Life-Saving Service and attracted to it and kept in it the best the country afforded in the way of men, precious lives might have been saved and explanations made unnecessary.

I shall not further occupy the time of the House. The point of order is insisted upon. The amendment must go out, and I bow to the inevitable. I wish, however, to impress upon the Congress that its duty to the Life-Saving Service and to the country can not be shirked; whether it be to-day or whether it be to-morrow, time must be found to give to this Service the consideration to which it is entitled, which the position of the country demands that it should have, not as a matter of favor to the men, but as a matter of their right; not alone as a matter of sentiment, but because it is a good business proposition to satisfy and hold the men in this Service. I discount and cast aside as the poorest argument that which is so often advanced against this proposition, that if relief in the way of pensions is granted the Life-Saving Service, all employees in the civil service of the country will be seeking like recognition. This Service is the only one of its kind. There is nothing comparable with it. It is in a class by itself. For this Congress or for any other Congress to refuse to do justice, fearing that justice thus done may be used as a precedent by some other Congress for doing that which should not be done, is a reflection not alone upon the Congress, but upon the wisdom of those who devised our system of government. [Applause.]

The CHAIRMAN. The Chair sustains the point of order. The Clerk read as follows:

For engravers' and printers' materials and other materials, except distinctive paper, and for miscellaneous expenses, including purchase, maintenance, and driving of necessary horses and vehicles, and of horse and vehicle for official use of the Director when, in writing, ordered by the Secretary of the Treasury, \$510,000, to be expended under the direction of the Secretary of the Treasury.

The CHAIRMAN. Without objection, the typographical error on page 23, line 13, will be corrected by the Clerk.

There was no objection.

Mr. HEMENWAY. Mr. Chairman, I ask unanimous consent that all typographical errors in the bill be corrected by the Clerk.

The CHAIRMAN. Without objection, the request of the gentleman from Indiana will be granted.

There was no objection.

The Clerk read as follows:

American ethnology: For continuing ethnological researches among the American Indians under the direction of the Smithsonian Institution, including salaries or compensation of all necessary employees and the purchase of necessary books and periodicals, \$40,000, of which sum not exceeding \$1,500 may be used for rent of building.

Mr. MANN. Mr. Chairman, the item now under consideration carries the appropriation for the Bureau of Ethnology. I desire to submit a few remarks concerning both the character and the value of the work of that Bureau. In my opinion it never has done better work than it is now doing. The present efficient chief of that Bureau, Mr. W. H. Holmes, is a fitting successor to Maj. J. W. Powell.

Mr. Chairman, some of the governments of the world and many important societies or organizations are engaged in archaeological research, attempting to explore into the mysteries of ancient history and the progress and modes of living of the peoples in Asia, Africa, and Europe who first turned their eyes toward the light of civilization. That which is rare is valuable. That which is difficult to obtain is sought for. We are sometimes more anxious to know how the people of Babylon lived than we are to know how to live ourselves. All information which has a tendency to show the methods by which mankind increases its civilization is of value.

I know of no more interesting subject, either from an ethnological or a sociological point of view than the study of the aboriginal American Indian. If we should fail to leave recorded in permanent form the studied impressions of our generation as to the true character of the Indian before his character has been changed, either for the better or the worse, by contact with our civilizing or brutalizing influences, we should fail in our duty to those who come after us.

This sort of study of the Indians can not continue very much longer with the same value that it can now be prosecuted. I have myself, in a very amateurish way, been something of a student by reading of the Indian. I very much regret that, owing to the necessity for economy at this time, we are unable to make this appropriation larger than it now is.

It may be of some interest to the Members present to call their attention in a brief way to the development of this Bureau and to the work which it is doing.

#### ETHNOLOGICAL WORK OF THE SMITHSONIAN INSTITUTION.

The earliest ethnological work undertaken in this country that could claim to be national in character was published by the Smithsonian Institution. The first volume of Smithsonian Contributions to Knowledge was the "Ancient Monuments of the Mississippi Valley," by Squier and Davis, and up to the time of the founding of the Bureau of Ethnology the Institution had issued about 600 publications on ethnology and archaeology. Before the organization of the Bureau Congress had given substantial aid to the publication of Schoolcraft's great work on the Indians; the War Department surveys had visited and reported on the tribes and monuments of various parts of the West; the Hayden survey of the Territories had examined and described many of the cliff and pueblo dwellings and had published important papers on the ethnology of the Mississippi Valley; Major Powell, chief of the survey of the Rocky Mountain region, had accomplished much among the tribes of the Colorado valley and had commenced the series of publications known as "Contributions to North American Ethnology."

#### BUREAU OF AMERICAN ETHNOLOGY.

The Bureau of American Ethnology was organized in 1879 and was placed by Congress under the supervision of the Smithsonian Institution.

So well directed and energetic were the efforts of Major Powell in initiating researches among the American tribes that he was selected by Professor Baird, Secretary of the Smithsonian Institution, as the person preeminently fitted to organize and conduct the Bureau. Major Powell was one of the world's most able students of the history and science of man, and his plans were laid on a broad and enlightened basis. He recognized the claims of the native tribes on the nation and on humanity; he understood the needs of the Government in dealing with these tribes, and appreciated at the same time the requirements of history and science.

Years of experience were necessary before the work could be fully organized; methods of research had to be developed, languages had to be learned, and a large body of classified knowledge had to be accumulated before results of importance could be attained. Other important bureaus of the National Government have had a similar history, as, for example, the Geological Survey, the Weather Bureau, and the Biological Survey.

The early researches had taken a wide range, but in a random way, and Major Powell began at once the work of determining the real scope of the field, the classification of the subject-matter, and the selection of those questions that required immediate attention. He found that there were numerous questions of a practical nature to be dealt with, and at the same time many less strictly practical, but vastly important, problems to be considered. Some of the practical questions were readily approached, but in the main they were so involved with strictly scientific questions that the two could not be considered separately.

One of the most difficult problems to be dealt with by the Government was that arising out of the presence within its domain of over 300,000 aborigines, dependent wards of the Government. In the main the difficulties encountered in the handling of this

problem arose from the lack of a knowledge of the distribution, numbers, and relationships of the hundreds of tribes, of a real appreciation of their character, culture, status, needs, and possibilities. A knowledge of the elements with which a government has to deal lies, necessarily, at the basis of intelligent administration, and the chief object in organizing the Bureau of American Ethnology was to obtain necessary knowledge of the tribes and to study them so that not only would the legislative and administrative arms of the Government know and appreciate the aboriginal population and its needs, but that this knowledge should be so disseminated among the people generally that intelligent administration would have sympathetic support.

The first step in this great work, as wisely determined by Major Powell, was that of locating the tribes and classifying them in such manner as to make it possible to assemble them in harmonious groups based on relationship by blood, language, customs, beliefs, and grades of culture. To do otherwise would be to perpetuate the blunders in the management of earlier days and to contribute nothing to the material welfare and the civilization of the tribes. This work was undertaken by a few students, and with appropriations so limited as to be out of proportion to the magnitude of the field covered.

For twenty-five years the work has been going on, and the corps of especially trained workers has been distributed among the tribes, studying such groups as promised to yield valuable results. Languages have been recorded and learned as the necessary basis upon which to carry forward the researches in the various branches, and to-day a great body of information has been gathered and published, and the methods of research, at first so imperfect, are now fully developed and intelligently applied.

The first essential step in the work was a classification of the tribes into groups allied by language. It was found that within the area with which the nation has to deal there are spoken some 500 languages as distinct from each other as French is from English, and that these languages can be grouped in some fifty or sixty families. It was found, further, that in connection with the differences in language are many other distinctions requiring attention. Tribes allied in language are often allied also in capacity, habits, tastes, social organization, religion, and arts and industries; and it was plain that a satisfactory investigation of the tribes required a systematic study of all of these conditions. It was not attempted, however, to cover the whole field in detail. When sufficient progress had been made in the classification of the tribe, certain groups were selected as types, and investigations among them were so pursued as to yield results applicable in large measure to all.

To-day gratifying progress has been made and a deeper insight has been gained into the inner life and character of the people, and thus in a large sense of all primitive peoples, than has been reached before by any agency whatever. Many of the results of these researches have already been published and are in the hands of all civilized nations of the world.

The Bureau has aimed to deal with this great subject primarily from the practical point of view, on the theory that a well-rounded knowledge of the tribes is essential to their proper management by the nation. It deals with the native population as the Geological Survey deals with the geology of the country and the Biological Survey deals with its animal life. The idea is that an intimate knowledge of the elements with which a nation has to deal is in each case essential to an enlightened administration. The practical results multiply as the work progresses and as the body of knowledge increases.

Some of the more directly practical results accomplished may be briefly mentioned: (1) A study of the distribution, location, and numbers of the tribes, and classification into groups or families based on affinity in language—a necessary basis for dealing with the tribes practically or scientifically; (2) a study of the numerous sociological, religious, and industrial problems involved, an acquaintance with which is essential to the intelligent management of the tribes in adjusting them to the new and strange requirements of civilization; (3) a history of the relations of the red and white races embodied in a volume on land cessions, allotment of land in severalty, etc.; (4) investigation into the physiology, medical treatment, and sanitation of a people who suffer keenly from imperfect adaptation to the new conditions imposed upon them; (5) the preparation of exhaustive bibliographies embodying all published works relating to the tribes; (6) a study of the industrial and economic resources of the tribes with the view of discovering new materials for the arts, new sources of food supply, and new medical plants; (7) a study of the antiquities of the country with a view to their record and preservation; and (8) a dictionary of the tribes, embodying in condensed form the accumulated information of many years.

Many of the researches thus initiated and carried forward have a much more far-reaching significance and influence than is implied in their application to the practical problems of to-day. A closer examination shows that they furnish the means of determining laws and principles that may be applied in the broadest sense to the affairs of nations, to a proper comprehension of the processes of human development, and the means of regulating and promoting progress.

The men associated with Major Powell have spent years of faithful study in acquiring proficiency in the work. They have learned the native languages, and have begun a record of the tribes and their customs on a higher plane than was possible before. The researches thus founded can not be transferred to other people and agencies, and can not be hastily stopped and curtailed without inflicting a great and irreparable injury to the work.

Although confined to a single race, the work of the Bureau constitutes the most important study of primitive man ever planned, and the body of facts already published exceeds in importance all that has been done in this field by all other agencies in the world combined. The seventy-two volumes already issued are a monument to Major Powell, which will also stand in the future as one of the most noble achievements of governmental science. The observations here recorded can never be duplicated or repeated, for in a little while the native population will have lost its racial characteristics and its peculiar culture will have vanished.

In a work of twenty-eight volumes on the history of the United States, now in course of publication under the supervision of Professor Hart, of Harvard University, the second volume, entitled "The Basis of American History," the Bureau work is a principal source of the matter embodied, while many other educational works might be mentioned that have drawn largely on the researches of the Bureau for their information.

I believe that the Bureau should be permitted not only to continue its researches among the tribes of the country in the various fields already occupied, since its methods are now well perfected and its students well trained in their various specialties, but should also as far as possible extend its investigations to our newly acquired possessions—to the various races that have come recently within range of observation and control. It is most important from both the immediately practical and the more strictly scientific points of view that expeditions should be sent to Hawaii, Samoa, the Ladrones, and, if possible, to the Philippines at the earliest possible dates. Other countries are rapidly collecting the ethnological and historical objects and data that should enrich our own institutions. In Hawaii and Samoa we have to deal with some 50,000 people representing a separate branch of the human family. These people still in a measure retain their primitive languages, beliefs, arts, industries, habits, and customs, but their condition is undergoing rapid change, and the native culture will soon be obliterated. The race itself is rapidly disappearing, and so far no adequate scientific record has been made of the race characteristics. An ethnological survey of these islands should be undertaken by the Institution without delay. The extension of the work to these islands would require the employment of but one additional ethnologist, and could be conducted advantageously and economically by utilizing in part the present Bureau staff.

The Clerk read as follows:

#### UNDER SMITHSONIAN INSTITUTION.

International exchanges: For expenses of the system of international exchanges between the United States and foreign countries, under the direction of the Smithsonian Institution, including salaries or compensation of all necessary employees, and the purchase of necessary books and periodicals, \$27,000.

Mr. HEMENWAY. Mr. Chairman, I ask unanimous consent to go back to line 24, page 23.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to return to page 23, line 24. Is there objection? There was no objection.

Mr. HEMENWAY. Mr. Chairman, I move to strike out "twenty-seven thousand" and insert in lieu thereof "twenty-eight thousand eight hundred."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and the amendment was agreed to. The Clerk read as follows:

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction, dealers and pretended dealers in counterfeit money, and persons engaged in counterfeiting Treasury notes, bonds, national-bank notes, and other securities of the United States and of foreign governments, as well as the coins of the United States and of foreign governments, and other felonies committed against the laws of the United States relating to the pay and



bounty laws, including \$2,000 to make the necessary investigation of claims for reimbursement of expenses incident to the last sickness and burial of deceased pensioners, under section 4718 of the Revised Statutes, the act of March 2, 1895, and for no other purpose whatever, \$125,000: *Provided*, That no part of this amount be used in defraying the expenses of any person subpoenaed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts:" *Provided further*, That the investigation of claims for the reimbursement of expenses of the last sickness and burial of deceased pensioners shall be at the instance and under the direction of the Secretary of the Treasury, and no part of any accrued pension shall hereafter be used to reimburse any State, county, or municipal corporation for expenses incurred by such State, county, or municipal corporation under State law for expenses of the last sickness or burial of a deceased pensioner.

Mr. FITZGERALD. Mr. Chairman, as this seems to be a new provision, I desire to reserve the point of order against it. I will ask the chairman of the committee, the gentleman from Indiana [Mr. HEMENWAY], whether this is a new provision?

Mr. HEMENWAY. It is a provision which has been in the bill for a long while.

Mr. FITZGERALD. Why is it continued each year, if it is not a new provision? It must be the law. The word "hereafter" is in there.

Mr. HEMENWAY. Yes. I presume there is no reason why it should stay in there. It is just the custom to repeat it. I think we better leave it in, however.

Mr. FITZGERALD. If the identical language has been used heretofore, I can not help it. If it has not, I can.

Mr. HEMENWAY. It is repeated in the estimates, and we leave it in.

Mr. FITZGERALD. Then, Mr. Chairman, I will withdraw the point of order.

The Clerk read as follows:

Ambrose Channel light station, New York: For a light-house at the intersection of the axis of the east channel and the west edge of it, to form a range, \$125,000.

Mr. MANN. Mr. Chairman, I reserve the point of order on that provision. I may say to the gentleman from Indiana [Mr. HEMENWAY] in charge of the bill that I think it is subject to the point of order.

The CHAIRMAN. It depends upon whether there has been authorization for it.

Mr. MANN. There has been no authorization for it.

The CHAIRMAN. If that be so, of course it is subject to the point of order.

Mr. MANN. There is no claim that there is any authorization, is there?

Mr. HEMENWAY. Oh, yes.

Mr. MANN. There is no authorization for it.

Mr. HEMENWAY. I think there is, but as the gentleman does not intend to insist on his point of order—

Mr. MANN. But, Mr. Chairman, I think I shall insist on the point of order, I will say to the gentleman from Indiana, and while the last sundry civil bill required that plans should be submitted for this work, no additional lights have been authorized at that place, and the mere submission of plans is not sufficient authority. The Committee on Interstate and Foreign Commerce, I may say, has directed me to report an amendment to this bill, upon which I presume the point of order will be made, covering not only this case, but a number of other cases. I am not so particular whether the item goes out on a point of order at this place or whether it remains in, but I may say to the gentleman that our investigation of the subject shows that it is entirely unnecessary to appropriate \$125,000 at this time. The Light-House Board stated that all it can possibly expend during the next fiscal year would be \$25,000. It is not possible yet to ascertain just the location where this light-house will be.

It depends on further improvements of the New York channel, and while provision ought to be made this year for the light-house, it would be sufficient to make the appropriation a smaller amount, with authority to contract for the balance of it. My understanding is that there is no authority for the appropriation.

The CHAIRMAN. Does the gentleman from Indiana concede that there is no authority in law for this?

Mr. HEMENWAY. Mr. Chairman, I believe it is agreed both by the Committee on Appropriations and the Committee on Interstate and Foreign Commerce that this appropriation for a new light-house at Ambrose channel should be made, the only question being whether the whole amount should be appropriated now, or a portion appropriated now, with authority to contract. But the amount is so small that we just appropriated the whole amount.

Mr. MANN. The point to that is that there are some other things needed just as much as this is, and it might make quite a difference as to whether the other provisions were allowed.

Mr. HEMENWAY. If the gentleman would prefer to have an appropriation of, say, \$25,000, with authorization to contract for the balance—

Mr. MANN. If the item is to remain in the bill at all—though I think it is subject to the point of order—it should be in the form in which the Committee on Interstate and Foreign Commerce agreed to.

Mr. HEMENWAY. I have no objection.

The CHAIRMAN. Does the gentleman make the point of order? He has simply reserved it so far.

Mr. MANN. I was trying to find out whether I would insist upon it.

Mr. HEMENWAY. I am willing to have the amendment come in, if the gentleman desires.

Mr. MANN. I withdraw the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is withdrawn.

Mr. MANN. And move to strike out and insert the following, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the paragraph and insert the following:

"Ambrose channel, New York Harbor, New York: Toward the construction of a light-house at the intersection of the axis of the east channel to the west edge of it, to form a range, in Ambrose channel, New York Harbor, New York, at a total cost not to exceed \$125,000, \$25,000; *Provided*, That the Secretary of Commerce and Labor may contract for the construction and completion of said light-house within the limit of cost herein authorized."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Tender in twelfth light-house district: For repairs of the light-house tender Manzanita, now on duty in the twelfth light-house district, \$40,000.

Mr. MANN. Mr. Chairman, by direction of the Committee on Interstate and Foreign Commerce I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by inserting as new items following line 17, page 39, the following:

"Cape Mendocino light station, California: For the construction, complete, of a light-house keeper's dwelling at Cape Mendocino light station, California, \$5,500.

"Humboldt Bay, California: For the construction, complete, of a fog signal at the entrance to the harbor at Humboldt Bay, California, \$15,000.

"Light and fog-signal station, harbor of refuge, Milwaukee, Wis.: For the construction, complete, of a light and fog-signal station upon the south end of the breakwater, harbor of refuge, at Milwaukee, Wis., \$100,000.

Light-ship, Brunswick, Ga.: For the construction complete of a light-ship to be placed off the outer bar of Brunswick, Ga., \$90,000.

Light and fog-signal station, Goose Island Flats, Delaware River: Toward the construction of a light-house and fog-signal on Goose Island Flats, in Delaware River, at a total cost not to exceed \$85,000, \$40,000: *Provided*, That the Secretary of Commerce and Labor may contract for the construction and completion of said light-house and fog-signal station within the limit of cost herein authorized.

Light-keeper's dwelling, Buffalo Harbor: For the construction complete of light-keeper's dwelling at Buffalo Harbor, N. Y., \$6,200.

Light station, Honolulu Harbor, Hawaii: For the construction complete of new light-house and range lights, together with keeper's dwelling, at Honolulu Harbor, Territory of Hawaii, \$40,000.

Fog signal, Bakers Island, Massachusetts: For the construction complete of a fog signal at Bakers Island, Salem Harbor, Massachusetts, \$10,000.

Light station, Pungoteague Creek, Virginia: For the construction, complete, of a light station at or near Pungoteague Creek, Virginia, \$8,000.

Light and fog-signal station, Ragged Point, Virginia: For the construction, complete, of a light and fog-signal station at or near Ragged Point, Virginia, \$30,000.

Light and fog-signal station, Rock of Ages, Lake Superior: Toward the construction of light and fog-signal station at Rock of Ages, Isle Royale, Lake Superior, at a total cost not to exceed \$125,000, \$25,000: *Provided*, That the Secretary of Commerce and Labor may contract for the construction and completion of said light and fog-signal station within the limit of cost herein authorized.

Light station, Midway Islands, Pacific Ocean: Toward the construction of a light station, with suitable light-keeper's dwellings, day beacons, buoys, and storehouses, with a wharf and landing place, at Midway Islands, Pacific Ocean, at a total cost not to exceed \$111,000, as estimated by the Light-House Board, under direction by executive order, and set forth in House Document No. 189, Fifty-eighth Congress, third session, \$50,000: *Provided*, That the Secretary of Commerce and Labor may contract for the construction and completion of said light station with suitable light-keeper's dwellings, day beacons, buoys, and storehouses, with a wharf and landing place, within the limit of cost herein authorized.

New tender for third light-house district: Toward constructing, equipping and outfitting a new tender for light-house inspection service in the third light-house district at a total cost not to exceed \$130,000, \$75,000: *Provided*, That the Secretary of Commerce and Labor may contract for the construction and completion of said tender within the limit of cost herein authorized.

New tender for twelfth light-house district: Toward constructing, equipping, and outfitting a new tender for construction and repair in

the twelfth light-house district at a total cost not to exceed \$130,000, \$75,000: *Provided*, That the Secretary of Commerce and Labor may contract for the construction and completion of said tender within the limit of cost herein authorized.

That the Light-House Board is authorized to employ temporarily at Washington not exceeding three draftsmen, to be paid at current rates, to prepare plans for the tenders authorized by this act and to be paid from the appropriations for building such tenders, such employment to cease and terminate on or before the date when the plans for such tenders shall be finished, and proposals for building said tenders are invited by advertisement.

That after the 1st day of January, 1906, it shall be unlawful for any person, company, corporation, or municipality not under the control of the Light-House Board, to establish, erect, or maintain in the navigable waters of the United States any light as an aid to navigation, or any other aid to navigation similar to any of those maintained by the United States under the control and direction of the Light-House Board, without first obtaining permission so to do from the Light-House Board, in accordance with rules and regulations to be established by the Secretary of Commerce and Labor; and any person violating the provisions of this section or any of the rules and regulations established by the Secretary of Commerce and Labor, in accordance herewith, shall be deemed guilty of a misdemeanor and be subject to a fine not exceeding the sum of \$100 for each offense, and each day during which such violation shall continue shall be considered as a new offense.

Before the reading of the above was concluded,

Mr. HEMENWAY. Mr. Chairman, I ask unanimous consent that the balance of the amendment be printed in the RECORD, and that it be not read. I make the point of order that the items mentioned in the amendment are not authorized by law.

Mr. MANN. Will the gentleman reserve his point of order?

Mr. HEMENWAY. I reserve the point of order.

The CHAIRMAN. The gentleman from Indiana reserves the point of order against the amendment, and it will be printed in full in the RECORD, and the gentleman from Illinois will be heard upon the point of order.

Mr. MANN. Mr. Chairman, I do not wish to be heard upon the point of order. There is no doubt whatever that the amendment is subject to the point of order.

The CHAIRMAN. The gentleman desires to be heard on the proposition that it ought to prevail, although it is obnoxious to the rule.

Mr. MANN. The purpose of offering the amendment at this time is for the information of the gentleman from Indiana and the other gentlemen who will be the conferees from the House on this bill when it goes into conference. The committee which has jurisdiction of the subject of new propositions for the Light-House Establishment is the Committee on Interstate and Foreign Commerce. That committee has endeavored at this session, as at previous sessions, to give careful scrutiny to the various propositions which have been presented for increasing the Light-House Establishment, those for new light-houses, for new fog signals, for new tenders, and other additions to the Light-House Establishment. A subcommittee of that committee went over all of the bills and all the propositions which were pending in Congress, both the estimates from the Treasury Department, which were referred to the Committee on Appropriations, and also the bills and other matters which were referred to the Committee on Interstate and Foreign Commerce.

I reported in the House a few days ago, by direction of that committee, a bill in lieu of all the bills which were pending before the committee, embodying the propositions which I included in my amendment now offered and also included the one in reference to Ambrose Channel, which has been agreed to. I wish to say to the gentlemen who will be on the conference committee, as well as to the other Members of the House, that in agreeing upon the propositions which we did we agreed only upon those which the Light-House Board stated to us—after considerable investigation in connection with the matter, both on their part and on our part—were essential to be provided for at this time. The Committee on Appropriations selected the light-house at Ambrose Channel as one which ought to be provided for now, but it is no more necessary to provide a light-house for Ambrose Channel at this time than a new tender in that district running out from New York and around Connecticut or a new tender on the Pacific coast or other improvements embodied in the amendment offered by me.

Now, I do not know what provisions may be inserted in this bill in the Senate, but I wish to assure the gentlemen who will be on the conference committee from the House that in the opinion of our committee, after a careful investigation of this subject, no other propositions ought to be included in this bill in conference ahead of the propositions which we recommend in this amendment, which I have offered here by direction of the Committee on Interstate and Foreign Commerce.

The CHAIRMAN (Mr. CAPRON). The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For surveys and necessary resurveys of the Pacific coast, including the Hawaiian Islands and Alaska and other coasts on the Pacific Ocean

under the jurisdiction of the United States, to be immediately available, and to continue available until expended: *Provided*, That this appropriation be available for the transportation to and from Manila and employment in the office at Washington of not to exceed three Filipinos at any one time, \$107,500.

Mr. FITZGERALD. Mr. Chairman, I make the point of order against that provision. I would like some explanation of it. Why is it put in here?

Mr. HEMENWAY. On what page?

Mr. FITZGERALD. It is on page 46, providing for the transportation and employment of three Filipinos.

Mr. HEMENWAY. We are educating some Filipinos in this service now, and in place of educating them in the Philippine Islands the director in charge thought it advisable to have at least three of them here. It does not add to the amount of the appropriation. It makes it possible to educate them with less expense and give them a great deal better education along this line.

Mr. FITZGERALD. The compensation is not restricted here at all, is it?

Mr. HEMENWAY. I do not understand the gentleman.

Mr. FITZGERALD. The compensation of these Filipinos is not limited in any way, is it, by this proviso?

Mr. HEMENWAY. They do not pay them anything at all.

Mr. FITZGERALD. It is just to instruct—

Mr. HEMENWAY. To take care of them, to pay their expenses, and educate them.

Mr. CRUMPACKER. This does not mean the right of the Filipinos to come to this country is in any degree restricted?

Mr. HEMENWAY. Oh, no.

Mr. CRUMPACKER. It means simply not over three—

Mr. HEMENWAY. It means three to be educated in this school.

Mr. CRUMPACKER. They shall come free—that is, at the Government's expense?

Mr. HEMENWAY. Three to be educated in this school here.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] withdraws the point of order.

The Clerk read as follows:

Spearfish (S. Dak.) Station: Superintendent, \$1,500; fish culturist, \$900; two laborers, at \$540 each; in all, \$3,480.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I move to strike out the last word. Pending that, I would like to ask the gentleman from Indiana [Mr. HEMENWAY] if it would not be well for the committee to rise now? We were in session this morning an hour earlier than usual.

Mr. HEMENWAY. I had hoped, Mr. Chairman, to run until 6 o'clock, but if there is any serious objection to it I would not wish to hold the Members here.

Mr. WILLIAMS of Mississippi. I have been conversing with several gentlemen who entertained very serious objection. I think it would be well enough for the committee to rise.

Mr. HEMENWAY. Well, Mr. Chairman, there is never very much time gained in trying to keep the House here when Members wish to go away, so I move that the committee do now rise.

Thereupon the committee rose; and (the Speaker having resumed the chair) Mr. SHERMAN, the Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill H. R. 18699, the sundry civil appropriation bill, and had come to no resolution thereon.

Mr. HEMENWAY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Indiana [Mr. HEMENWAY] moves that the House do now adjourn.

Pending the announcement,

#### ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles; when the Speaker signed the same:

H. R. 18751. An act to extend the time for the construction of a bridge across Rainy River by the International Bridge and Terminal Company;

H. R. 18279. An act to authorize the Secretary of the Interior to accept the conveyance from the State of Nebraska of certain described lands and granting to said State other lands in lieu thereof, and for other purposes; and

H. J. Res. 217. Joint resolution to return to the proper authorities certain Union and Confederate battle flags.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 7117. An act establishing that portion of the boundary line between the State of South Dakota and the State of Nebraska south of Union County, S. Dak.; and



S. 7103. An act confirming the title of the St. Paul, Minneapolis and Manitoba Railway Company to certain lands in the State of Montana, and for other purposes.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 10558. An act referring the claim of Hannah S. Crane and others to Court of Claims;

H. R. 1860. An act for the relief of certain enlisted men of the Twentieth Regiment of New York Volunteer Infantry; and

H. R. 18815. An act to authorize the construction of a bridge across Red River at or near Boyce, La.

#### WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. GILLET of Massachusetts to withdraw from the files of the House, without leaving copies, all papers in the case of H. R. 6867, Henry N. Penfield, for correction of military record, no adverse report having been made thereon.

The motion to adjourn was agreed to.

Accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned until 12 o'clock m. to-morrow.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, recommending certain amendments to the laws relating to coinage—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Secretary of the Treasury, recommending an appropriation for payment to the heirs of George McGhehey—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Quartermaster-General of the Army, a detailed statement of expenditures on account of joint maneuvers of 1905—to the Committee on Expenditures in the War Department, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of appropriation for militia, District of Columbia—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Agriculture submitting an estimate of appropriation for miscellaneous deficiencies—to the Committee on Appropriations, and ordered to be printed.

A letter from the treasurer of the Washington, Alexandria and Mount Vernon Railway Company, transmitting report for the year ended December 31, 1904—to the Committee on the District of Columbia, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, public bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 6232) to provide for circuit and district courts of the United States at Selma, Ala., reported the same with amendment, accompanied by a report (No. 4840); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 18596) to authorize the county of Quitman to construct a bridge across Coldwater River, Mississippi, reported the same without amendment, accompanied by a report (No. 4843); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 18597) to authorize the county of Quitman to construct a bridge across the Tallahatchie River, Mississippi, reported the same without amendment, accompanied by a report (No. 4844); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 18598) to authorize the county of Quitman to construct a bridge across Coldwater River, Mississippi, reported the same without amendment, accompanied by a

report (No. 4845); which said bill and report were referred to the House Calendar.

Mr. BURKE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 18902) to authorize Everett Leftwich, of Williamson, W. Va., to bridge the Tug Fork of the Big Sandy River at Nolan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky, reported the same without amendment, accompanied by a report (No. 4846); which said bill and report were referred to the House Calendar.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 7164) permitting the building of a railway bridge across White River, joining the township of Harrison, in Knox County, State of Indiana, and township of Washington, in Pike County, State of Indiana, reported the same without amendment, accompanied by a report (No. 4847); which said bill and report were referred to the House Calendar.

Mr. BURTON, from the Committee on Rivers and Harbors, to which was referred the bill of the House (H. R. 15440) authorizing the construction of a dam across Rock River at Lyndon, Ill., reported the same with amendment, accompanied by a report (No. 4852); which said bill and report were referred to the House Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 18784) providing for changing the title of warrant machinist, United States Navy, to machinist, for the promotion of machinists after six years from date of warrant, according to law governing the promotion of other warrant officers, and for other purposes, reported the same with amendment, accompanied by a report (No. 4853); which said bill and report were referred to the House Calendar.

Mr. BARTHOLOMEW, from the Committee on Labor, to which was referred the concurrent resolution (H. C. Res. 70) authorizing the Secretary of Commerce and Labor to collect and compile certain statistics, reported the same, accompanied by a report (No. 4854); which said concurrent resolution and report were referred to the House Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 18791) relating to the pay of mates in the Navy, reported the same without amendment, accompanied by a report (No. 4855); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 18993) to regulate the construction of bridges over navigable waters, reported the same with amendment, accompanied by a report (No. 4856); which said bill and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TRIMBLE, from the Committee on Claims, to which was referred the bill H. R. 17503, reported in lieu thereof a resolution (H. Res. 529) referring to the Court of Claims the papers in the case of Herbert O. Dunn, accompanied by a report (No. 4841); which said resolution and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 18737) for the relief of Delia B. Stuart, reported the same with amendment, accompanied by a report (No. 4842); which said bill and report were referred to the Private Calendar.

Mr. MEYER of Louisiana, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 15251) for the relief of Theodore H. Bishop, reported the same without amendment, accompanied by a report (No. 4851); which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on the Post-Office and Post-Roads was discharged from the consideration of the concurrent resolution (H. C. Res. 78) giving the authorities of the city of St. Joseph, Mo., certain authority, and the same was referred to the Committee on Public Buildings and Grounds.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MANN: A bill (H. R. 19123) to enforce the common-law liability of common carriers engaged in interstate commerce—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 19124) to regulate freight rates—to the Committee on Interstate and Foreign Commerce.

By Mr. KEHOE: A bill (H. R. 19125) to amend an act providing when plaintiff may sue as a poor person, and when counsel shall be assigned by the court, as passed July 20, 1892—to the Committee on the Judiciary.

By Mr. SCUDDER: A bill (H. R. 19126) to amend an act approved May 4, 1882, entitled "An act to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck"—to the Committee on Interstate and Foreign Commerce.

By Mr. TRIMBLE, from the Committee on Claims: A resolution (H. Res. 529) referring to the Court of Claims the bill H. R. 17503—to the Private Calendar.

By Mr. HINSHAW: A resolution (H. Res. 530) providing for the printing of additional copies of the Life and Morals of Jesus of Nazareth—to the Committee on Printing.

By Mr. VANDIVER: A resolution (H. Res. 531) asking information of the Secretary of the Navy concerning armor-plate trusts—to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: A resolution (H. Res. 532) concerning investigation of the Indian tribes, schools, and agencies—to the Committee on Rules.

By Mr. MILLER: Memorial from the legislature of the State of Kansas, requesting that greater powers be given to the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, memorial from the legislative assembly of the State of Kansas, asking Congress to amend the Constitution so as to provide that United States Senators shall be elected by the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, memorial from the legislative assembly of the State of Kansas, relative to the use of a portion of the national irrigation fund in Kansas—to the Committee on Irrigation of Arid Lands.

Also, memorial from the legislative assembly of the State of Kansas, asking Congress to confer greater powers on the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, memorial from the legislative assembly of the State of Kansas, requesting Congress to pass Senate bill 1640—to the Committee on Claims.

By Mr. BOWERSOCK: Memorial from the legislative assembly of the State of Kansas, relating to the eight-hour law—to the Committee on Claims.

Also, memorial from the legislative assembly of the State of Kansas, favoring amendment of the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, memorial from the legislative assembly of Kansas, in relation to arid-land reclamation fund—to the Committee on Irrigation of Arid Lands.

By Mr. CAMPBELL: Memorial from the legislative assembly of the State of Kansas, requesting Congress to confer greater powers on the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, memorial from the legislative assembly of the State of Kansas, requesting Congress to take favorable action on Senate bill 1640—to the Committee on Claims.

Also, memorial from the legislative assembly of the State of Kansas, requesting Congress to take action with view to having a portion of the national irrigation fund used in Kansas—to the Committee on Irrigation of Arid Lands.

By Mr. REEDER: Memorial from the legislative assembly of the State of Kansas, asking that a part of the national irrigation fund be used in developing irrigation in the State of Kansas—to the Committee on Irrigation of Arid Lands.

Also, memorial from the legislative assembly of the State of Kansas, asking that Congress grant to the Interstate Commerce Commission additional power—to the Committee on Interstate and Foreign Commerce.

Also, memorial from the legislative assembly of the State of Kansas, asking that Congress take favorable action on Senate bill 1640 (eight-hour bill)—to the Committee on Claims.

By Mr. CURTIS: Memorial from the legislative assembly of the State of Kansas, asking Congress to enact a law increasing the power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, memorial from the legislative assembly of the State of Kansas, in behalf of Senate bill 1640 (eight-hour bill)—to the Committee on Claims.

Also, memorial from the legislature of the State of Kansas, asking that a part of the irrigation funds be used in the State of Kansas—to the Committee on Irrigation of Arid Lands.

By Mr. CALDERHEAD: Memorial from the legislative assembly of the State of Kansas, relative to electing United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, memorial from the legislative assembly of the State of Kansas, asking Congress to grant greater powers to the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 19127) for the relief of Roy Hillman—to the Committee on War Claims.

By Mr. BURKETT: A bill (H. R. 19128) granting an increase of pension to Maria A. Vankleek—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: A bill (H. R. 19129) granting an increase of pension to David A. Jones—to the Committee on Pensions.

By Mr. FLACK: A bill (H. R. 19130) granting a pension to John W. Treadway—to the Committee on Invalid Pensions.

By Mr. LAPEAN: A bill (H. R. 19131) granting an increase of pension to Noah Klinefelter—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 19132) granting an increase of pension to William H. Jones—to the Committee on Invalid Pensions.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 19133) granting an increase of pension to George A. Bernard—to the Committee on Invalid Pensions.

By Mr. BURKE: A bill (H. R. 19134) granting an increase of pension to William H. Plunkett—to the Committee on Invalid Pensions.

By Mr. PATTERSON of North Carolina: A bill (H. R. 19135) granting a pension to Daniel Skipper—to the Committee on Pensions.

Also, a bill (H. R. 19136) for the relief of the estate of William J. Fountain—to the Committee on War Claims.

By Mr. ROBINSON of Indiana: A bill (H. R. 19137) granting a pension to Alexander Craig—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 19138) granting an increase of pension to Samuel M. O'Neal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19139) granting an increase of pension to Charles W. Pavey—to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Petition of West Philadelphia Subdivision, No. 45, Brotherhood of Locomotive Engineers, against employment of engineers without three years' experience as firemen—to the Committee on Interstate and Foreign Commerce.

By Mr. ALLEN: Petition of Howard Fost and other citizens of Maine, favoring a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Fred E. McKenney and other citizens of Maine, against repeal of the Grout law—to the Committee on Agriculture.

By Mr. BELL of California: Petition of citizens of Calistoga and Norwalk, Cal., against religious legislation for the District of Columbia—to the Committee on the District of Columbia.

By Mr. BARTHOLDT: Petition of members of the Cigar Manufacturers' Association of St. Louis, Mo., against reduction of import duty on cigars and tobacco from the Philippines—to the Committee on Ways and Means.

By Mr. BURKE: Petition of citizens of Fort Collins, Grand Valley, Monte Vista, Clifton, Grand Junction, Rio Grande County, Vernon, Wray, and Laveta, Colo., against religious legislation for the District of Columbia—to the Committee on the District of Columbia.

By Mr. BURKETT: Protest of citizens of College View, Nebr.—to the Committee on the District of Columbia.



By Mr. BURLEIGH: Petition of Alamoosook Grange, Orland, Me., favoring the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BURTON: Petition of Cleveland Subdivision, No. 31, Brotherhood of Locomotive Engineers, against employment of engineers without three years' experience as firemen—to the Committee on Interstate and Foreign Commerce.

By Mr. BUTLER of Missouri: Petition of various cigar manufacturers of St. Louis, against the reduction of the tariff on Philippine cigars—to the Committee on Ways and Means.

By Mr. DARRAGH: Petition of citizens of Gratiot County, Mich., against religious legislation for the District of Columbia—to the Committee on the District of Columbia.

Also, petition of citizens of Montcalm County, Mich., against religious legislation for the District of Columbia—to the Committee on the District of Columbia.

By Mr. DRAPER: Petition of the Association of Masters and Pilots of Steam Vessels, against bill H. R. 7298—to the Committee on the Merchant Marine and Fisheries.

By Mr. DRESSER: Petition of Canfield Subdivision, No. 635, Brotherhood of Locomotive Engineers, against employment of engineers without three years' experience as firemen—to the Committee on Interstate and Foreign Commerce.

Also, petition of Bradford Subdivision, No. 230, Brotherhood of Locomotive Engineers, against employment of engineers without three years' experience as firemen—to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Petition of the New York Board of Trade and Transportation, against repeal of the bankruptcy law—to the Committee on Interstate and Foreign Commerce.

By Mr. FORDNEY: Petition of citizens of De Witt, Mich., against religious legislation for the District of Columbia—to the Committee on the District of Columbia.

Also, petition of citizens of Douglas, Rives Junction, Lansing, and Clinton County, Mich., against religious legislation for the District of Columbia—to the Committee on the District of Columbia.

By Mr. FOSS: Petition of citizens of Lake County, Ill., favoring equitable railway freight rates—to the Committee on Interstate and Foreign Commerce.

Also, petitions of citizens of Ottawa, Danville, Onarga, Millington, and Newark, Ill., against religious legislation for the District of Columbia—to the Committee on the District of Columbia.

By Mr. FRENCH: Petition of Shoshone Subdivision, No. 228, Brotherhood of Locomotive Engineers, against employment of engineers without experience as firemen—to the Committee on Interstate and Foreign Commerce.

By Mr. GAINES of Tennessee: Petition of Rock City Subdivision, No. 129, Brotherhood of Locomotive Engineers, against employment of engineers without three years' experience as firemen—to the Committee on Interstate and Foreign Commerce.

Also, petition of Cumberland Subdivision, No. 473, Brotherhood of Locomotive Engineers, against employment of engineers without three years' experience as firemen—to the Committee on Interstate and Foreign Commerce.

By Mr. GREENE: Petition of Fall River (Mass.) Society of Natural History, urging enactment of laws for the preservation of the American buffalo—to the Committee on Agriculture.

By Mr. GROSVENOR: Petition of Brotherhood of Locomotive Firemen, Lodge No. 9, of Columbus, Ohio, favoring bill H. R. 7041—to the Committee on the Judiciary.

Also, petition of Chillicothe Subdivision, No. 65, Brotherhood of Locomotive Engineers, against employing engineers without three years' experience as firemen—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON: Petition of citizens of Three Oaks, Mich., favoring equitable freight rates, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. HAMLIN: Petitions of Sedalia Subdivision, No. 178; Ozark Subdivision, No. 83; Mexico Subdivision, No. 8, and J. L. Parish Subdivision, No. 556, Brotherhood of Locomotive Engineers, against employment of engineers without three years' experience as firemen—to the Committee on Interstate and Foreign Commerce.

By Mr. HEMENWAY: Resolutions of the Brotherhood of Locomotive Engineers of Howell and Princeton, Ind., urging legislation concerning railway employees—to the Committee on Interstate and Foreign Commerce.

By Mr. HUNT: Petition of Subdivision No. 227, Brotherhood of Locomotive Engineers, against employment of engineers without three years' experience as firemen—to the Committee on Interstate and Foreign Commerce.

Also, petitions of H. R. Eichenberger, the H. Barlewart Cigar Company, the F. J. Commenees Cigar Company, O. M. Grisse,

George Huelsewede, Aug. Heaschelbarth, F. Kramer, William King & Sons, Jacob Lampert, F. W. Petschonek, Aug. Roebke, Adolph Krell, Fred Kromer, jr., Paul Klose, Henry Luehrsel, and the Schottmueller Exposition Cigar Company, of St. Louis, against reduction of duties on tobacco and cigars from the Philippines—to the Committee on Ways and Means.

By Mr. JONES of Washington: Petitions of citizens of Seattle, Edgecomb, Clark County, North Yakima, Spokane, and Tacoma, Wash., against religious legislation for the District of Columbia—to the Committee on the District of Columbia.

By Mr. KELIHER: Petition of the Massachusetts State Grange, thirty-second annual session, against repeal of the Grout oleomargarine law—to the Committee on Agriculture.

By Mr. KETCHAM: Petition of citizens of Red Hook and Jackson Corners, N. Y., favoring equitable railway rates—to the Committee on Interstate and Foreign Commerce.

By Mr. KLINE: Petition of Earl P. Bricker et al., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. KYLE: Petition of citizens of Madison, Ohio, favoring railroad-rate legislation—to the Committee on Interstate and Foreign Commerce.

By Mr. LAFEAN: Paper to accompany bill for relief of Noah Klinefelter—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: Petition of citizens of Oxford, Me., favoring rate regulation—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Maine, favoring passage of bill for parcels post and postal currency—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Maine, against repeal of the Grout law—to the Committee on Agriculture.

By Mr. LUCKING: Petition of citizens of the First Congressional district of Michigan, favoring a constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. McMORRAN: Petition of citizens of Sanilac County, Mich., favoring equitable railway rates—to the Committee on Interstate and Foreign Commerce.

By Mr. McNARY: Petition of the Massachusetts State Grange, thirty-second annual session, against repeal of the Grout oleomargarine law—to the Committee on Agriculture.

By Mr. MARSHALL: Petition of citizens of Lansford, N. Dak., against religious legislation for the District of Columbia—to the Committee on the District of Columbia.

By Mr. MILLER: Petition of citizens of Waverly, Kans., favoring bill H. R. 4072—to the Committee on the Judiciary.

By Mr. MOON of Pennsylvania: Petition of the Conference of Commissioners on Uniform State Laws, asking for appointment of commissioners from the District of Columbia on uniformity of legislation—to the Committee on the Judiciary.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of William H. Jones, of Chattanooga, Tenn.—to the Committee on Invalid Pensions.

By Mr. PORTER: Petition of descendants of John Sevier, relative to claim of estate in Tennessee and Alabama against the United States Government—to the Committee on Claims.

By Mr. RIDER: Petition of the New York Board of Trade and Transportation, against repeal of the bankruptcy law—to the Committee on the Judiciary.

By Mr. ROBINSON of Illinois: Paper to accompany bill for relief of Alexander Craig—to the Committee on Invalid Pensions.

By Mr. RYAN: Petition of King, Raichle & King, against repeal of the bankruptcy law—to the Committee on the Judiciary.

Also, petition of the president of the National Association of Boards of Pharmacy, favoring bill H. R. 12646—to the Committee on Naval Affairs.

Also, petition of the Buffalo (N. Y.) Chapter of the American Institute of Bank Clerks, favoring the Gaines bill for clean currency—to the Committee on Banking and Currency.

Also, petition of the New York Board of Trade and Transportation, opposing repeal of the bankruptcy law—to the Committee on the Judiciary.

By Mr. STEENERSON: Protests of citizens of Gilchrist and Roseau County, Minn., against religious legislation for the District of Columbia—to the Committee on the District of Columbia.

By Mr. SULZER: Petition of the New York Board of Trade and Transportation, against repeal of the bankruptcy law—to the Committee on the Judiciary.

By Mr. WOODYARD: Petition of citizens of Jackson County, W. Va., favoring equitable railway rates—to the Committee on Interstate and Foreign Commerce.